Growing Up Capitalist *Joseph Featherstone*

# THE NEW REPUBLIC

A Journal of Politics and the Arts—May 29, 1976, 60 cents

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## Privacy's Future

*Nathan Lewin*

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**Poor Détente** — *Daniel Yergin*

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**Ford Alive** — *John Osborne*

**Stalling Carter** — *Ken Bode*

**Sound of Fusion** — *W.T. Lhamon, Jr.*

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# TRB

from Washington ®
May 29, 1976

## Shifting Sand

About the time conservative voters of Michigan and Maryland were showing that they still prefer good old Jerry Ford to Ronald Reagan in the primaries last week, the President was dropping an emotional new issue into the campaign. This is the anti-busing issue that may help him win conservative voters next Tuesday in six more primaries: Arkansas, Idaho, Kentucky, Nevada, Oregon and Tennessee. Did he plan the timing this way—is it politics? It is hard to say, but in practical terms it means that hard-pressed Ford has grabbed a position where it will be next to impossible for Gov. Reagan to get on to his right.

On April 20, 1971 the Supreme Court unanimously held that in states where segregation was once imposed by law and where authorities are still making efforts to continue the illegal practice, federal judges are permitted wide discretion in combating it, including busing.

The remedies might be "administratively awkward, inconvenient and even bizarre in some situations and may impose burdens on some," said Chief Justice Burger in his careful opinion, "but all awkwardness and inconvenience cannot be avoided in the interim period . . ."

Southern states have made a lot of progress in desegregation since then but the problem has moved north into cities like Detroit and Boston. In each there has been violence. In Boston Federal District Court Judge W. Arthur Garrity found that over a long period of time the Boston School Committee deliberately and illegally discriminated against black school children. In 1974 he ordered a limited integration plan involving some busing (upheld by the Court of Appeals), followed by a later plan involving more transportation (again upheld on appeal). Now the Garrity order is before the US Supreme Court. It can hear it or reject it.

This is one of the most passionate issues before America today, ripe for a demagogue. Fortunately thus far it has been treated cautiously and white suburbs have tried to avoid looking at explosive ghettoes where 40 percent of teenage blacks currently are unemployed. Now we must hold our breath at the new development, for a severely pressed President has tentatively asked his Attorney General, Edward Levi, and his Solicitor General, Robert Bork, to intervene in the case on the side of the anti-busers to urge the Supreme Court to reconsider its position. Two top urban affairs advisers of the administration, both black, were not consulted. Gov. Dukakis (D, Mass.) told this reporter he was "utterly baffled" by adverse federal intervention now when government support might have averted violence two years ago.

Levi and Bork are as conservative jurists as Mr. Ford's advisers Simon and Greenspan are conservative economists. Levi, former head of the University of Chicago, is a small, pink, canary-like figure with a bow tie, with a habitual pensive expression behind thick horn-rimmed glasses. He surprised a group of reporters last year when he first came to Washington by saying that he thought the abuse of judicial power in the government was as bad as abuse of executive power. Yes, assertion of judicial authority, he told us, is just as arbitrary as that by the executive or legislature. One wondered even then if he referred to school integration.

Robert Bork is a hand-me-down from the Nixon administration, the ex-Yale Law School professor who, as Solicitor General, helped draw up Nixon's anti-busing legislation. He is a man of principle who surveys things from his own conservative angle; when Elliot Richardson refused to fire Archibald Cox and resigned, Bork felt it was his duty to carry out the President's orders and reluctantly did the unpleasant job. He knew that it would probably stand in his way later on, particularly for a coveted post on the Supreme Court. In fact, President Ford named John Paul Stevens, not Robert Bork, to the vacancy when William O. Douglas retired from the court.

The Solicitor General interprets the Constitution narrowly. Known for dazzling abilities, he wrote in the *Indiana Law Journal* that the First (Free Speech) Amendment protects only "explicitly political speech"; he opposes bringing issues like capital punishment, abortion, the environment and the like to the courts; in 1968 he wrote in *The New Republic* (of all places) "Why I Am For Nixon." ("His basic values are actually the values espoused by the moderate left but his means of implementation are different," he wrote.) Just the man to tell the Supreme Court that it is wrong on busing.

Back in 1969 Clifford Alexander, chairman of the Equal Employment Opportunity Commission, got tired of being a Nixon stooge and resigned to protest "a crippling lack of administration support." Today in the Ford administration, Assistant Attorney General Pottinger (head of the civil rights division) states publicly that he disagrees with Ford, Levi and Bork, who want to file an amicus brief. "I oppose filing anything. I think it's a mistake!" he says.

Mr. Ford is back in the race again with his double victory in Michigan and Maryland. This reporter just somehow can't see the Republican party committing suicide with Ronald Reagan though things have looked uncomfortably like that at times. The party's base is down to 18 percent according to a Republican National Committee poll last year, with 42 percent Democrats and 40 percent independents. Reagan would narrow the base still further. But he is one of the best political speakers today in America; after watching Ford's reassuring but plodding Rotarian delivery in Michigan we could gauge the electrifying contrast.

Jimmy Carter had a close contest with Mo Udall in Michigan and was beaten by California Governor Edmund G. Brown, Jr. in Maryland on Brown's first try. What it means is that the Carter support is thin and suspicious, and that the same people who are looking for a fresh face and a moral tone to help them do penance for the generalized sins of Vietnam, Watergate, Agnew and Nixon, are also prepared to accept another fresh face, Jerry Brown's, and another highly moral, not to say mysterious and apostolic tone in the unknown young governor. It is bound to revive the "Stop Carter" talk pending futher primaries. Somehow we can't take Gov. Brown very seriously except in a negative sense as a Carter obstacle; he can wait a few years. Jimmy, we guess, is still the man to watch.

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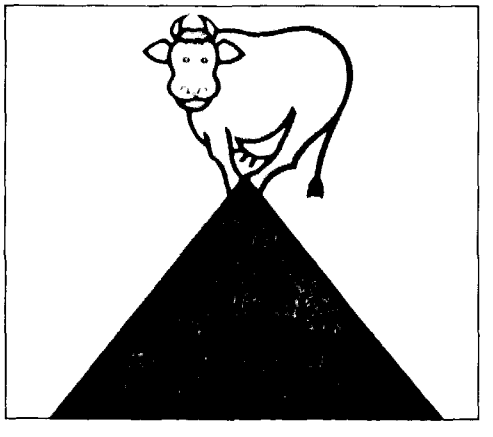

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# Foreign Aid Limbo

Jerry Ford's latest veto—the 49th in his brief presidency—fell on the foreign aid bill in May. The bill itself was long overdue, delayed since early 1975 by the fall of Vietnam and by the administration's tendentious "reassessment" of its Middle East policy. The aid request was not sent to Congress until late 1975; and to its credit, the Senate had a bill on the floor by February. Congress cannot be blamed for the bumbling and confusion that's held up the authorization.

The principle Ford cited in his veto speech was a constitutional one: he claimed that proposed changes in the handling of weapons sales would rob him of executive authority. Specifically, he objected to parts of the foreign aid bill that put a dollar limit on the amount of weapons to be sold in a year, gave Congress new control over private arms sales, forbade sales to countries that violate human rights or discriminate against American citizens on the basis of race, religion, etc., and lifted the trade embargo imposed on Vietnam last year. Unhappily, most of these objections will be taken care of to the President's satisfaction in the new bill now being drafted. But the point on which Congress will not compromise is the procedural change that will give congressmen more access to information about, and more control over, individual arms deals. The leaders of this move say they are not usurping presidential authority at all, but rather demanding that the President assert his own authority over the military establishment. The Nelson amendment of 1974, which gives Congress power to veto government arms sales worth more than $25 million, would be supplemented by a new section covering private sales worth more than seven million dollars, and by new disclosure rules. These will be used, according to their authors, not so much to stop the President as to force him to explain why he wishes to export arms to various buyers.

Until Jerry Ford announced his veto, it was widely assumed that the bill would sail through without much trouble. Those who sought the administration's advice in drafting it, including the staffs of Senators Hubert Humphrey and Clifford Case, were taken by surprise because they'd been told the President would sign, reluctant though he might be. To attest to this early support, Sen. Hubert Humphrey read into the record a letter from Henry Kissinger to the chairman of the Senate Foreign Relations Committee, dated January 29. In it Kissinger said he continued to have "strong reservations" about the arms control

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sections, but that it was important to get the bill passed quickly: "Accordingly we will not delay Senate action by requesting further consideration of our remaining objections in the floor debate." Kissinger, one Senate aide guessed, hadn't cleared the details of the bill with the President, and when Ford saw them, he refused to sign. In addition to the disagreement on arms control, Kissinger was reversed on the question of aid to Israel. He had accepted the $550 million authorized by Congress for support of Israel in the "fifth quarter" transition between old and new budget systems (July-September 1976). But Ford's Office of Management and Budget said the figure was too high, and Ford agreed. There was another explanation for the turnabout. Reagan's success in the primaries may have persuaded Ford to take a tougher defense stance than he had planned. Imagine, for example, what Reagan might have made of the section lifting the trade embargo on North Vietnam. If this kind of worry did influence the White House, then it was Reagan as much as Ford who vetoed foreign aid.

Sen. Humphrey, who has been the driving force behind the bill, believes that Congress will prevail on the key arms control provisions and on the fifth quarter authorization for Israel. He sees this as part of the continuing struggle to make the President more accountable to the public on foreign policy decisions. For the last two years the House and Senate foreign affairs committees have been pressing the administration to give a sharper definition of its plans in the Persian Gulf, for this is where the bulk of new US military investment is going. They've had little success. Democratic leaders feel that, lacking a clearly defined policy, the administration has drifted into a mood of genial acquiescence to almost anything the King of Saudi Arabia and the Shah of Iran demand in the way of armaments. Since the quintupling of the oil price in 1973, the volume of US arms sales abroad has quadrupled, and the lion's share of this increase has gone to nondemocratic governments in the Persian Gulf. Some congressmen wonder whether the 3600 percent increase in arms sales to the Gulf between 1970 and 1975 was simply an accident of economics or the result of a policy initiative taken by the administration but never announced to the public. (The Saudi sales are particularly worrisome since the Riyadh government is not especially stable; but whoever ultimately has the upper hand there may be tempted to transfer his abundant arms riches to others in the Middle East. The sale of arms to Iran, while not exactly reassuring, can be distinguished from our hardward trade with Saudi Arabia. The Russians traditionally have had expansionist objectives in Persia, both for its oil and its strategically important access to the seas. That is to say, Tehran has a powerful and nearby enemy, a reality exacerbated by the threatening presence of Cubans around the Gulf.)

The clearest definition of the new policy, according to one of Sen. Humphrey's staff, was given by the then Under Secretary of State, Joseph Sisco, in 1975. Sisco told a House committee that when the British left the Gulf in 1971 the US decided that it would have to step in to help safeguard "the world's most valuable energy asset, valued at something over $4.5 trillion." Sisco continued: "It is our view that the major burden for assuring security in the region must be borne by the Gulf states themselves," and that in shipping weapons to the area the US was merely responding to the requests of its allies. The sudden increase in the volume of sales, Sisco explained, reflected an increase in the purchasing power of Iran and Saudi Arabia made possible by oil revenues. The change, he claimed, had worked to America's advantage by stabilizing the economies of the Gulf countries, binding those governments more closely to our own and providing an atmosphere in which American military and economic interests would flourish. He suggested there were limits to the amount and types of weaponry the US would export to the Gulf, but he didn't spell them out, except to say we wouldn't share nuclear arms.

Congress listened to this explanation with skepticism. Some members suspect that the OPEC oil price increase was actually welcomed by the defense establishment because it made possible the fortification of the Persian Gulf through commercial sales, which until now have not been subject to congressional veto. These suspicions cannot be lightly dismissed. The former ambassador to Saudi Arabia, James Akins, gave testimony before the Senate multinationals subcommittee on May 4 that lends weight to these doubters.

Akins told the subcommittee that he had had several disagreements with his superiors over the price of oil, the treatment of agents' fees in arms deals (also called kickbacks) and the handling of a Saudi offer to remove a Soviet military base in Somalia. On oil, he said that his suggestions for restraining Iran's price demands were at first ignored, then flatly rejected by the State Department. "Sisco and others pointed out that I did annoy the Secretary," Akins said, by continuing to suggest ways of stopping Iranian price increases. Akins learned that while he was trying to prevent new price hikes, the Iranians were being told by other senior officials that the US "understood why prices had to go up." The Saudis and Iranians concluded, quite reasonably, that the US government was not overly concerned about price. On agents' fees, Akins said: "About two weeks after I arrived in Saudi Arabia, I got a telegram from the State Department that asked me, roughly, to take up the matter of an agent's fee to be paid to Mr. Khashoggi [Adnan Khashoggi, the Mideast fixer], and to take this up with the Saudi minister of defense. I thought it improper for me to do this and I informed the Department and they agreed. . . ." The Department decided that Akins should not act as procurer, but it did not back him up when he undertook

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a broader attack on corruption in the arms trade.

The most celebrated of Akins' charges had to do with a Russian military base in Somalia, just across the Red Sea from Saudi Arabia. He told the committee that the State Department had ignored a proposal made by the Saudi government to remove Russian arms and money from Somalia. The Saudis planned to buy American weapons and offer them to the Somalians along with a bundle of economic aid if the Somalians would drop their ties to the USSR. The Saudis, according to Akins, sincerely believed the plan had a chance of working, but when the proposal was cabled to Washington, the State Department gave no reply. The deal was never attempted, and the Saudis were somewhat baffled.

Akins was puzzled too, except that he was later given a clue as to what might have happened by a friend whose rank and reputation in the State Department made him a reliable source in Akins' view. This person pointed out that the Saudi proposal reached Washington at about the same time the Defense Department was lobbying for funds to build a new military base on the island of Diego Garcia in the Indian Ocean. The linchpin in the argument for this base, as far as Congress was concerned, was the presence of the Russian threat in Somalia and the need to respond to it. Remove the Russians and there would be no need for Diego Garcia. Thus the Saudi offer may have been rejected because it interfered with the Pentagon's plans.

This testimony suggests that the government is badly confused about its policy in the Persian Gulf. Without question, Ambassador Akins was confused—not only about Somalia but also about the proper way to handle arms merchants and oil prices after 1973. As he told the committee this month: "I'm assuming that our policy is to reduce oil prices. Now if our policy is something else, I can't really be expected to follow something that I hear in back corridors. . . . As I pointed out, I don't take my instructions from *The New York Times* or *The Washington Post*. There are perfectly legitimate, straightforward, honored, traditional means of informing ambassadors what policy is, and it's not background briefings to the press." If the ambassador to Saudi Arabia was kept in such a state of ignorance, then surely Congress is entitled to remain skeptical about the administration's arms and oil policy.

# The Best Man

Since *The New Republic* last asked a small random sample of its readers for opinions of the men running for President (April 10), another comparable poll has been done. This time there were 468 responses from readers identifying themselves, in the main, as either Democrats or Independents. (Eight respondents were Republicans.) Democrats and Independents were asked to designate the "best" candidate, as well as the man they thought "most likely to be nominated." They were invited to specify whom they felt they "couldn't support." Among the results: Udall was the clear favorite of responding readers, taking 138 votes of the 369 cast in the "best candidate" race. Humphrey, who had not yet formally reiterated his intention not to actively seek the nomination, was second, with 74 responses, Carter a distant third with 44. Church, who had yet to win Nebraska, was fourth with 24. Brown, who had yet to win Maryland, got 23.

About half of the respondents answered after Carter's Pennsylvania victory. But readers polled were still of the opinion that Humphrey would be the ultimate nominee (214). Carter trailed, with 164 votes. None of the other listed aspirants had more than 12 responses in the "most likely" to be nominated category. Wallace drew 351 "couldn't supports" followed by Jackson (129) and Carter (75).

Results differ little from the previous *TNR* poll. One evident change is in the number of respondents who now support Carter, view him as the most likely nominee or would refuse to support him.

In the first heat, Carter was called "best" by 15 of 472 respondents. In the second poll he won 44 of 369 votes. In the first race he was considered the most likely nominee by 51 respondents. More recently by 164. His "couldn't support" responses dropped from 85 to 75. More of our readers still say they could not support him than say they consider him the best man.

# Cook in Hot Water

On September 20, *TNR* ran an editorial ("Diseased Corn, Imaginary Soybeans") on America's grain inspection scandal. Shortly afterwards, we received an indignant telephone call from a spokesman for Cook Industries, a large grain export firm based in Memphis. He said that the magazine had incorrectly reported that former *officials* at Cook had been indicted on charges stemming from the scandal. "We have been convicted of guilt by association," he said, pointing out that while other grain companies and their officials had been named in grand jury indictments in New Orleans and Houston, Cook Industries was fully cooperating with the prosecutors. While former *employees* may have been involved in the scandal, he assured us that the alleged irregularities at Cook were neither the result of company policy nor orders by officials. However, the investigation of the scandal has continued, and on May 6, a federal grand jury in New Orleans indicted Cook Industries on charges that it was company policy to steal grain. The company did not deny the charges and told US District Court Judge Jack M. Gordon that it had

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reason to believe that for five years Cook officials had conspired to steal grain from ships being loaded at its elevator in the New Orleans area. Cook was fined $370,000 for 37 separate criminal offenses.

# Broken Spoke In the Bandwagon

"Carter Nomination No Longer Inevitable," read *The Washington Post*'s headline, and over at Carter headquarters they stopped answering the phone with "Jimmy Carter is your next President." How something stops being inevitable is an interesting problem in semantics or theology, and it's a real problem for Jimmy Carter.

Early in May, Carter's managers saw a series of easy tests ahead and began talking less cautiously about a first ballot nomination. Jackson was out, Udall was broke and Humphrey had decided to stay in the wings. May is a month in which about 775 delegates to the Democratic convention are chosen in 16 primaries. Carter was the man to beat in nearly all of them. Idaho could be conceded to native son Frank Church, West Virginia to Robert Byrd and Alabama to Wallace. Elsewhere, Carter expected relatively easy going and announced that he would use some of his free time to contact uncommitted delegates and supporters of other candidates and work on party unity.

On the way to the White House Carter ran into Jerry Brown in Maryland and Morris Udall in Michigan, and May turned out not to be all that much fun for President Carter. For the first time since his fourth place finish in Massachusetts, Carter's setbacks rather than his successes were the subject of note. At just the time when attention might have shifted to Carter's delegate totals, it was focused on the popularity contest. Carter won most of the delegates in Maryland, but that's not what was noticed. With his frontrunnership well established, the preference contests have become a referendum on Jimmy Carter; they indicate how much support he does not have, how substantial a task he faces in unifying the Democrats if he does win the nomination. The outcomes reveal some interesting trends.

Earlier this year, Carter's strategy of filing and running everywhere was called a stroke of organizational genius. His delegate totals grew, he was able to capitalize on press attention and the momentum of his primary victories without investing much time or money in caucus states, and he was able to pass off his setbacks by calling attention to the fact that he was running everywhere, and because of that he expected to lose here and there. It all worked very well, while conditions were right. So long as there were a number of candidates dividing up the vote, a 29 percent first-place finish in New Hampshire could be called a victory. The strategy also worked wherever Carter knocked heads with George Wallace, as he did in Florida, North Carolina, Georgia, Alabama and Indiana.

But now there have been five primaries between Carter and someone other than Wallace, and the outcomes have been different. Two of these, Carter lost—Nebraska to Church narrowly, and Maryland by 12 percent to Jerry Brown. In the three closest finishes of the year, Wisconsin, Connecticut and Michigan, it was man-to-man, Carter *v.* Udall, and Carter won each of them with a margin of less than two percent and by a grand total (in all three) of less than 12,000 votes. This is what has stalled Jimmy Carter's bandwagon. Carter knows it, and he also knows it will be the prevailing pattern for most of the rest of the season—Udall versus Carter in South Dakota and Ohio, Brown versus Carter in Nevada, New Jersey and California, and Church versus Carter in Idaho and Oregon. Udall dropped out of Oregon to focus that test between Carter and Church, but after the victory in Maryland, Jerry Brown decided to broaden his horizons and announced a late-starting write-in effort there.

In each of the upcoming primaries, Carter himself will be the main issue, as he was in Michigan. There he had all the advantages that accrue to a frontrunner. Ten days before the election the opinion polls gave him a substantial lead. He had the backing of much of the Democratic party establishment and support from most of the state's black leadership, including Detroit's Mayor Coleman Young. He also won the endorsement of the state's largest union, the 700,000-strong UAW, and the much publicized personal support of its president, Leonard Woodcock. Woodcock decided to be for Carter in February, he said, but waited until a consensus developed inside the union. When the consensus came, it included a battery of vice presidents, all six regional directors in Michigan and authorization to use political action funds from the union treasury on Carter's behalf. As it did in Wisconsin and Connecticut, Carter's union support undoubtedly provided the margin of his Michigan victory; about two-thirds of the UAW vote in the Democratic primary went to Jimmy Carter.

Facing all this, Udall took as his theme for the Michigan campaign: "Where does Jimmy Carter really stand?" He issued a check-list of questions to Carter on issues—"Udall's Quick Carter Quiz"—trying, he said, to figure out where his opponent stood on things like welfare reform, right-to-work and on the elimination of federal agencies. Udall buttressed this with the first of what might be termed negative advertising in this year's presidential contest. A 30-second Udall television spot, narrated by actor Cliff Robertson, showed two animated cartoon figures of Jimmy Carter facing each other across a divided television screen. With the faces smiling and frowning at one another, Robertson

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repeated contradictory statements made by Carter at various times on the Humphrey-Hawkins full employment bill, on divestiture by oil companies and on national health insurance. The spot ended: "Does this all sound confusing? Vote for a man who means what he says." Udall's managers think the campaign was successful. The message took almost immediately, they say. Udall came close to winning his first primary victory and a big upset. It worked, they believe, because many voters are already skeptical about Carter; they needed only specific examples to focus their misgivings.

**Ken Bode**

## White House Watch

# Keeping Jerry Alive

The President's victories in Michigan and Maryland, after losing five of the previous six primary elections, did not erase the memory of Gerald Ford pleading with the people of his home state to believe that in the 21 months of his appointive presidency he'd been as courageous, truthful and effective as he said he'd been, and to save him from a defeat that could have led to his final defeat by Ronald Reagan at the Republican convention in Kansas City in August. It was an unpleasant and unforgettable experience, watching an incumbent President beaten to his knees and begging for the reprieve that only a victory in Michigan could provide. The disgrace of Richard Nixon, the predecessor who put Mr. Ford in line for the presidency by appointing him Vice President, does not offer a parallel. Watergate was a public horror but, except at the very end, Nixon went through his agony in private. He was unopposed for renomination and was at the peak of his power and prestige, intimations of the debacle to come notwithstanding, when he won reelection in 1972. Gerald Ford's distress was of a lesser order and different nature, the humiliation of a sitting President who was in danger of being done out of his party's nomination and had to counter the peril in public while campaigning for preferential votes and convention delegates in Republican primaries.

Mr. Ford maintained after the final figures from Michigan were in (65 percent of the popular vote, 55 of 84 convention delegates and votes for Ford) that he'd never doubted he'd win and had never considered what he'd do if he lost. It's true that on the day before the primary, after a Saturday and Sunday campaigning in Michigan, he told White House assistants he was pleased with the show of support that he had detected and expected to win. According to White House and campaign committee assistants who were in regular touch with him before the Michigan primary and after his jarring losses in Texas, Indiana, Georgia, Alabama and Nebraska, it's also true that there was never any serious contingency thinking and planning about what to do if he lost again to Reagan in Michigan. But the atmosphere around the President in this interim of doubt was not as sunny as he indicated after the Michigan victory improved it and his spirits. The dominant note was one of grim determination to slog ahead, regardless of the Michigan outcome, to and through the last and crucial Ohio, New Jersey and California primaries on June 8, and to brace in the meantime for the grueling contest with Reagan for the favor of several hundred uncommitted delegates that would follow the primaries and probably determine the nomination. Even after the last two days of campaigning in Michigan, the highest hope generally held around the President and presumably held out to him was for a marginal victory that would be so narrow as to do him little or no good.

Events and Mr. Ford's observed demeanor during the fortnight preceding the May 18 primaries indicated that the possibility of defeat at the convention and the probability of a destructive contest for the nomination were taken seriously by him and his people. Changes in tactics that my report in this journal's May 15 issue under-estimated became evident. Blunt, personalized retorts to Reagan's charges of domestic mismanagement and international folly gave way to gentler, generalized claims of accomplishment that made the same points without naming Reagan and—as the President and his advisers belatedly realized—unnecessarily dignifying his allegations and magnifying their impact. References to "a crisis of confidence in our government, especially at the White House" when Gerald Ford succeeded Richard Nixon in 1974 amounted to an attack upon and comparison with his predecessor and benefactor that the President had hitherto avoided. His announced intention to emphasize his own virtues and accomplishments instead of his opponent's deficiencies resulted in embarrassing braggadocio that was out of character with Gerald Ford but probably offended picky reporters more than it did the citizenry. It was the President's manner and appearance, however, that most plainly attested the apprehension that prevailed behind the rather transparent show of confidence. At most of his public appearances he was tense, grim, smiling much less than is his custom, straining for wisecracks—Betty Ford became "First Mama" painfully often—that don't suit him. He frequently seemed to be tired, and some of his assistants said he was.

Stops in Tennessee and Kentucky, two of the six states where primaries on May 25 presented the prospect of another bad day for Mr. Ford, preceded his two-day swing through central Michigan. The doings in Johnson City, Memphis and Louisville made this observer wonder whether the President could believe that he was accomplishing much. Senator Howard

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Baker of Tennessee, whose readiness to be either Mr. Ford's or Ronald Reagan's vice presidential choice or an alternative to Reagan for the presidential nomination is comically apparent, said in Johnson City and Memphis that his being for Mr. Ford didn't mean that he was against any other Republican. Reagan, who also was campaigning in Tennessee, stayed at Baker's home that night. The state's junior Republican senator, Bill Brock, was nowhere to be seen. The crowd in Memphis, celebrating the opening of a mid-town shopping mall, was possibly the least responsive and most apathetic that Mr. Ford has ever addressed, and that's saying a lot. The President's haste to get on to Louisville and then to Michigan that night prevented his attending the Tennessee Republican party's biggest annual event, a leadership dinner in Nashville. Reporters travelling with the President were told that many Republican leaders thought he'd have done better to stay out of the state entirely than skip the dinner. A speech to an Armed Forces Day dinner in Louisville, following two perfunctory appearances before groups of Ford campaign workers, provided a chance to refute Reagan's charges, without naming Reagan, that the administration is neglecting the country's defenses and national interests. The unsurprising word after the visit was that it did not appear to have lessened Reagan's perceived lead in Kentucky.

The big act in Michigan was a six-hour ride on seven gleaming Amtrak railway cars including Amtrak's only observation car with an open rear platform, through the central part of the state. It began in Flint with the President standing on the rear platform and crying out the theme-line of the two days: "I ask you to help us on Tuesday. We must win in Michigan, and Flint is very important." All the way, to generally small but friendly crowds, the several chosen lines were repeated. Harking back to Nixon and Watergate: " . . . when I took the oath of office . . . this country was having many, many troubles. There was a loss of confidence in the White House itself. We were on the brink of an economic recession"—and so on. About Jerry Ford: "In the last 21 months I think Jerry Ford has done a good job and I want your help. Of course I have had a lot of help from First Mama, too (Mrs. Ford, standing beside him, simpers and waves and the transcript notes "laughter") . . . Because of my openness, my candor and my proven integrity, the American people know that they had a reason to have the feeling of confidence in the White House and the President of the United States." On the slow rise in employment and drop in inflation: "Everything that is supposed to be going down is going down and everything that is supposed to be going up is going up." Mr. Ford said again and again that what he had accomplished and offered could be summed up in a slogan: "Peace, prosperity and trust."

It was hard to get him off the rear platform. As the train pulled out of town after town—Lansing, Battle Creek, Kalamazoo—and finally into Niles, the loudspeakers carried his shouts to knots of people and even individuals along the tracks: "Hello . . . Good to see you . . . I need your vote." At Battle Creek the President was seen to redden, glare at someone in the crowd on the station platform, and shout: "We blew it in the right direction, young man, and those of you who don't agree—and if you would go out and look for a job, you would get one!" Sound tapes showed that somebody who was never identified had broken into Mr. Ford's account of the "real tough jobs" he had to handle when he took office with the remark: "You blew it." Press Secretary Ron Nessen checked with the President and quoted him as explaining that a young man who had been taunting him mentioned "the economy" and Mr. Ford jumped to the conclusion that he was saying he didn't have a job. On reflection, the President realized that the young man hadn't mentioned a job. Michigan has a high unemployment rate and the President's taunt was hardly calculated to help him. The primary result indicated that neither this outburst nor anything else hurt him much.

The accepted wisdom was that the President "turned it around" with this Saturday and Sunday and a previous day in the Detroit area. I wonder. People questioned in the crowds were usually reticent, embarrassed, tongue-tied. A burly man in the crowd at Niles said with a grin, "If you live in Michigan, you'd *better* be for him," but he was the exception. In the spring of 1974, when his reputation was already in tatters, Richard Nixon drew large and responsive crowds in the same area of Michigan and his candidate for Congress lost. At Holland, a town that annually celebrates its Dutch origins with a "Tulip Festival," upwards of 200,000 people had gathered along a three-mile route to watch the tulip parade. Although thoroughly damp from rain that stopped just before the President arrived, they had stayed to watch the Ford motorcade as it wended its slow way over the parade route. Mr. Ford waved to his left from his White House car, Mrs. Ford to her right. There a few signs, all friendly; a few shouts from the crowd, all friendly. It was, arithmetically speaking, the biggest reception Gerald Ford had got during his presidency. Yet there was a curious lack of communication. It seemed to me that the people staring at him as he passed were mostly stolid, silent, musing. During the hour's progress the President never once stopped his car and got out to shake hands, which for him was a sensational departure from custom. On primary day the President did extremely well in that section, as he did in the entire state. But a peripheral fact strengthened my doubt that all the labor, expense and running around involved in primary campaigning makes much difference for a President or does a President much good. Gerald Ford won in Maryland, too, and he never campaigned in that state.

**John Osborne**

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# by Nathan Lewin

Courts are equipped to deal with official intrusions on privacy in two different ways. The first is by defining the legal protection given to privacy by the general language of the Constitution or by applicable laws. The second relates to the consequences of infringements upon privacy: what happens when officers exceed the limits set by the courts and violate an individual's legally protected privacy?

When the Supreme Court decided, for example, that no warrant is needed for an arrest or that an individual may be compelled to hand all his business records, including documents that might be used against him, to the Internal Revenue Service, the first of these two functions was involved. Government officials who have the job of arresting suspects or the assignment of investigating tax returns can adjust their procedures to the newly announced constitutional standard. Justice Powell's separate opinion in the arrest-without-a-warrant case recognized that an arrest was "quintessentially a seizure," but the Court's ruling means that such seizures may now be accomplished without prior review of the evidence by a judge. And the rule that documents used by an individual for "commercial transactions" are entitled to no "legitimate expectation of privacy" similarly means that investigators may now demand or seize such records from the target of their investigation or from others.

What the Court has done in such cases is to mark off the line between official invasions of privacy that the law permits and those it forbids. Justices William Brennan and Thurgood Marshall disagreed with the broad rules permitting privacy invasions announced by the Court in each of the three cases discussed here two weeks ago, but the extreme conservative and liberal wings of the Court reversed roles in another recent decision involving a claim of privacy based not on the Constitution but on a statutory exemption in the Freedom of Information Act. A law student group tried to compel the air force to disclose records of hearings on violations of the honor and ethics code held at the US Air Force Academy. Among the grounds on which the request was opposed was that disclosure of records of individual cases (many of which resulted in exoneration of the accused cadets), even with the names of the accused deleted, would amount to a breach of privacy. The Freedom of Information Act requires agencies such as the air force to make records available on public demand, but permits documents to be withheld if disclosure would be "a clearly unwarranted invasion of personal privacy."

In the Air Force Academy situation, the party arguing for the invasion of privacy was a student group seeking material for a report on the Constitutional deficiencies in the administration of the services' honor systems. The more liberal members of the Court (Justices Brennan and Marshall), joined by the "centrist" bloc (Justices Stewart, White and Powell), viewed the public interest in disclosure as more weighty than the cadets' interest in privacy. In an opinion by Justice Brennan, they read the words "clearly unwarranted" in the Freedom of Information Act very literally and concluded that the disclosure of case summaries in which names were deleted could not be described in such absolute terms in view of the importance of opening "public business to public view."

This time it was the turn of the conservative justices to wail that the rights of personal privacy were being sacrificed. Chief Justice Burger spoke of the "indelibility of the stigma" of an allegation of dishonor made in the military. Justice Blackmun referred movingly to the "individuals placed in jeopardy and embarrassment for lesser incidents long past." And Justice Rehnquist noted that eliminating personal references—necessary in everyone's view as a minimal bow to privacy—would require reconstruction of the records, not merely minor excision.

So the conservative members of the Court appear ready to overrule the right of privacy when it interferes with the investigation and prosecution of crime. The liberal justices on the Court seem prepared to reject a claim of privacy when it prevents exposure of facts that are of interest and concern to the public. And the Court's middle group accepts either justification as enough to dispose of a privacy argument. These are gloomy signs for advocates of broad privacy rights.

Another bad omen was the Court's brief announcement in late March that there was no arguable basis for a constitutional challenge to state laws setting criminal penalties for homosexual acts performed in private by consenting adults. Two of three lower-court federal judges who had considered the constitutionality of a Virginia sodomy statute had ruled that it was proper to "promote morality and decency" by criminalizing homosexuality "even when committed in the home." They recognized that when the Court had struck down Connecticut's ban on contraceptives in 1965 it had

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established a zone of privacy for certain sexual intimacy. But they limited that protection to intimacies that are part of "marriage, home or family life." The dissenting judge pointed out that, several years after the Connecticut decision, the Court had extended its reasoning to a Massachusetts law that denied contraceptive information to the unmarried and that it used the privacy concept to override criminal abortion laws. The Court's cases, he said, "cogently demonstrate that intimate personal decisions or private matters of substantial importance to the well-being of the individuals involved" are constitutionally protected. Six members of The Supreme Court agreed with the majority of the lower court without even giving the parties a full hearing; only Justices Brennan, Marshall and Stevens—three of the Justices—thought that the constitutional privacy issue deserved full-dress consideration by the Court.

Even worse news may lie ahead. Advance tremors emanating from the Court in the field of remedies are signals of disaster. It has been a source of constant unhappiness to thoughtful judges that our legal system has devised no satisfactory method for deterring illegal invasions of privacy and righting the wrongs once they have been committed. This is the second of the handles that the courts have on the breach-of-privacy problem: what should be the consequences of an unlawful invasion of privacy?

The question can hardly be more timely. Daily revelations of FBI "black-bag jobs," tales of intelligence-agency investigative abuses, documented accounts of unsupervised snooping, spying and provocation all bear witness to the total failure of our judicial system to prevent mass-scale invasions of privacy by those acting with government authority. And they raise the obvious question of what can and will be done to prevent recurrence, to compensate those who were hurt and to punish those who participated.

There are criminal laws on the books, but these are seldom invoked against federal officials. John Ehrlichman had the misfortune to be involved in a most celebrated invasion of privacy—the break-in of Daniel Ellsberg's psychiatrist's office. Ehrlichman learned the hard way that official authority may not only be inadequate as a shield against criminal prosecution but may, in fact, be a lethal petard. Because of his official position, the routine California burglary that Ehrlichman authorized became a federal felony and his conviction was just affirmed by the federal court of appeals.

The Ehrlichman prosecution is not a meaningful precedent because it is unlikely that criminal process under existing statutes will ever again be used against anyone other than the most celebrated or outrageous offender. There were news reports, for example, that Richard Helms might be prosecuted, *à la* Ehrlichman, for an unlawful entry of which he allegedly had knowledge while he was director of the CIA. But the Justice Department quickly announced that there would be no such prosecution. In the same vein, there are dozens of trial court decisions issued each week in which searches or arrests are found to be illegal. Very rarely is the perpetrator of the unlawful search subjected to criminal prosecution because of his invasion of privacy.

here are sensible reasons for this policy of non-prosecution. Law-enforcement officers, it is said, work under great pressure and often find themselves in physical danger. If they err, it is usually from an excess of zeal, not out of deliberateness or malice. The threat of criminal prosecution would make officers timid and unwilling to act quickly. Since juries would be reluctant to convict officers acting—albeit erroneously—in the line of duty, criminal prosecutions should seldom be instituted.

If criminal prosecution of perpetrators is not the answer, a remedy involving civil damages might be. We usually think of damages as a way of deterring undesirable conduct and of compensating those who have been hurt by misconduct. If a doctor or lawyer engages in malpractice, he can be sued by the victim who suffers from it. Why not permit the victim of an invasion of privacy to collect from the police officer who commits the violation? Such liability would make police officers careful and would redress the injury of anyone who suffers.

The remedy seems fine in theory but runs up against some hard practical difficulties. First, police officers seldom have the personal resources to make a damage lawsuit against them worthwhile. Given the costs of litigation, the likelihood that the jury that assesses damages would be sympathetic to the officers and the dubious collectibility of any money judgment, there are few lawyers who would be willing to undertake a suit against officers personally for breach of privacy.

The government agencies—federal, state or local—that hire the policemen may have much deeper pocketbooks, but it is a well established legal principle that government may not be sued for personal injury unless it has agreed, by a duly enacted law, to assume monetary liability. The federal government has voluntarily assumed responsibility for harm caused by negligent acts performed by its employees. If a mail truck is involved in an automobile accident, the United States may be sued and held responsible for the negligent driving of its postman. But the same is not true for acts deliberately done, and unlawful searches or seizures—even where performed for seemingly worthy purposes—are deliberate acts.

Another reason the civil remedy is unsatisfactory is the reluctance of the courts actually to impose liability. Legal defenses that would not be upheld in other contexts are sustained when government agents are being sued for violations of constitutional rights. In a leading 1971 decision bearing the marvelously descrip-

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tive title *Bivens* v. *Six Unknown Named Agents of the Federal Bureau of Narcotics*, the Supreme Court first approved a civil lawsuit against federal officers who allegedly participated in an unconstitutional arrest and search. The possibility that this precedent might provide a meaningful deterrent and remedy was scotched, however, when the case went back to the lower courts. The federal court of appeals in New York, in a later phase of the same case, ruled that the narcotics agents would not have to pay damages, even if their arrest were unlawful, so long as they could prove that they acted "in good faith" and with "reasonable belief" that the arrest was a legal one. The victim was required to collect enough evidence, in other words, to establish malice, bad faith and unreasonableness—almost insurmountable hurdles not required for recovery of damages in any other situation involving personal injury. The Supreme Court thereafter refused to consider other cases involving this difficult standard, a course it again took recently when the same standard was announced by the federal court of appeals in the District of Columbia in a suit growing out of illegal wiretapping brought by the Jewish Defense League against John Mitchell and several FBI agents. (The author represents the JDL in that suit, so any further comment would be inappropriate.)

ore disturbing, however, than what the Supreme Court has refused to do in this area is what it has done and what it threatens to do. The second of the five privacy cases decided during the three months between late January and late April concerned the validity of a lawsuit brought against the chiefs of police of two counties in Kentucky who had distributed fliers to storeowners containing pictures and names of "active shoplifters." A photographer for a local newspaper who had once been arrested for shoplifting, but never convicted, found himself among those dishonorably mentioned, and he brought a lawsuit claiming damage to his reputation and infringement on his right of privacy. The Court, in a strident opinion by Justice Rehnquist, concluded that the photographer's interest in his reputation was not a constitutionally protected "liberty" and that he had no right of privacy on these facts enforceable in a suit under the federal civil rights laws. Although the Court's opinion did not specifically address the question whether a civil suit could have been based on other, more well defined, invasions of privacy, Justice Rehnquist explicitly "declined to enlarge" past decisions and contrasted the suit before him with the traditional remedy for breach of privacy—suppression of evidence seized in the course of an unreasonable search.

Suppression of evidence is the bottom line of court-developed remedies for invasions of privacy, and it now appears to be in serious jeopardy. After years of struggling with the problem, the courts structured a remedy that, although not ideal, appeared to be the best available choice. The principle—given constitutional stature in a 1961 decision—is that whatever "fruit" officers may obtain in an illegal search, seizure or arrest may not be utilized by the prosecution. The chief justification for this rule, although not its only basis in policy, is that if officers know that no law-enforcement purpose can be served by any evidence obtained as a result of unlawful conduct, they will not be tempted to violate constitutional rights.

The "Exclusionary Rule"—known by this title because it results in the exclusion of evidence that may prove guilt—has come under heavy attack in recent years. Chief Justice Burger chose the famous *Bivens* case as an occasion for launching an assault on the rule. He insisted that it was an "anomalous and ineffective mechanism with which to regulate law enforcement," that it was applied "inflexibly, rigidly and mechanically," that the hope that it might affect law enforcement procedures "was hardly more than a wistful dream," and that it was "conceptually sterile and practically ineffective in accomplishing its stated objective."

Fifty years ago, Benjamin Cardozo, then a judge on New York's highest court, pointed to the most serious flaw of the Exclusionary Rule when he colorfully described its effect: "The criminal is to go free because the constable has blundered." In several celebrated cases—including the upcoming California trial of William and Emily Harris—crucial evidence may have been obtained in the course of a questionable search. If the "constable has blundered"—if there has been a procedural flaw in the search or if the proof for it was insufficient—the evidence seized, even if it points to the defendant's guilt, may not be used.

A case now pending before the Supreme Court raises the question whether the Exclusionary Rule should be at least partly overruled. The case was begun in a federal court by a Nebraska prisoner named David Rice, who is serving a life term for first-degree murder relating to the death of an Omaha policeman in a bomb blast. Dynamite found in Rice's home during a police search was introduced against him during his trial. The search was plainly illegal under applicable standards because there was no specific evidence presented to the judge who signed the search warrant. All that the judge received was a sworn statement declaring that Rice was a member of the National Committee to Combat Fascism, "which advocates the violent killing of Police Officers," and that other unnamed members of Rice's organization had been arrested in connection with the policeman's death. Although the Nebraska courts upheld Rice's conviction, the federal court, to which he applied for a writ of *habeas corpus*, recognized that the search was unlawful, that the dynamite could not be used as evidence under the Exclusionary Rule, and that Rice was entitled to a new trial in which the dynamite would not be used as proof against him. The Supreme Court agreed to hear the case on the request of the Nebraska prosecutor, and the oral argument held on

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February 24 produced a flurry of news stories reporting that the Court seems ready to repudiate the Exclusionary Rule.

The superficially persuasive argument made to the Supreme Court by Nebraska and, in six friend-of-the-court briefs by the attorneys general of Arizona, Georgia, Indiana, Iowa, New Jersey, New York and Utah, is that evidence should not be excluded if the illegality in obtaining it was the result of a "good-faith mistake." In the *Rice* case, for example, the prosecutor argued that the police really had enough evidence to justify the search, but that they mistakenly withheld that proof from the affidavit they presented to the judge who issued the warrant. Since good-faith mistakes cannot be deterred, the argument goes, excluding the evidence in a case like Rice's will not prevent recurrence of the invasion of privacy. Another friend-of-the-court brief summarizes the contention as follows: "For any concept of deterrence to be effective the person to be deterred must know the nature of the sanction which is supposed to deter him (*i.e.* the suppression of evidence), *and* he must know just what it is that he is doing wrong which will invoke that sanction (*i.e.* making an illegal search and seizure). But if the target of the sanction reasonably and in good faith believes that he is *not doing* anything wrong (*i.e.* that the search and seizure he is making *is* lawful), then the deterrent aspect of the Exclusionary Rule is nil."

The argument has a ring of logic, but it lacks the tone of experience. The affidavit on which the warrant to search Rice's house was issued is so plainly defective that a first-year law student would recognize its shortcomings. Yet a municipal court judge in Omaha issued a search warrant based on that affidavit, and, using that warrant, a dozen police officers invaded a private home and rummaged through the entire house. Was the judge who issued the warrant using a defective legal standard in only that particular application or was he following a course that has produced many other warrants, resulting in many other invasions of privacy, on similar inadequate proof? Did the police officers compose a totally inadequate affidavit only in Rice's case, or is it more probable that their performance here was typical of what they do time and again in warrant applications?

he fact is that very few search warrants ever become the subjects of litigated cases. Those that produce no evidence are totally forgotten—unless the victim musters enough outrage and fortitude to sue. Even of those that produce evidence, a small percentage result in the filing of criminal charges. And an enormously large share of criminal charges result in bargained pleas of guilty. If a "good-faith" mistake of the kind shown in the *Rice* case turns up as a litigated issue in a celebrated case, it is probably the tip of a huge iceberg in which one may find congealed a host of abuses and other similar "good-faith" errors. Based on the evidence before him, the municipal court judge had no sufficient legal reason to believe that dynamite would be found in Rice's house; the fact that it was found was almost fortuitous. Yet it is only in those cases where the unjustified invasion of privacy fortuitously produces evidence of crime that the validity of the Exclusionary Rule is litigated. The many instances when it produces outrageous invasions of privacy are not equally publicized.

So, too, for the deterrent effect of the rule. The officer applying for the warrant in Rice's case did not think of the Exclusionary Rule, but it is hard to believe that the Omaha police department and the municipal court judges in Omaha are not looking more carefully at the evidence submitted in search warrant applications since the federal court decision in the *Rice* case. The existence of the rule and its implementation in particular cases has a very healthy effect on those involved in law enforcement. No one in the criminal prosecution business wants to be the goat whose mistake loses the case. A "good-faith" error based on negligence *can* be prevented by tightened procedures within a police department and by increased consciousness of what the law requires and what the Constitution protects.

What of society's interests? Should the law-abiding citizenry suffer release of a criminal because, in Cardozo's picturesque phrase, "the constable has blundered?" Somehow this causal relation gives us greater trouble than so many others we are willing to accept. A criminal goes free if a prosecutor "blunders" and does a terrible job of presenting the evidence against him at a trial. We do not say, in such a case, that if the evidence seems overwhelming to outsiders, the principle of affording every accused a fair trial should be discarded. A criminal goes free—at least until a new trial—if a judge "blunders" during his criminal trial and makes prejudicial remarks or excludes evidence or otherwise commits errors that make the trial unfair. Again our overriding principle of due process is viewed as a paramount concern. Better, we say, that a guilty man escape than that people be convicted without fair procedures. Justice Felix Frankfurter said more than three decades ago that "the history of liberty has largely been the history of observance of procedural safeguards," and, in the same opinion he noted that "safeguards must be provided against the dangers of the overzealous as well as the despotic."

When courts permit evidence that has been obtained in violation of a constitutional right to be used, they participate in the lawlessness committed by the overzealous. On this additional ground, the dissenters from recent decisions that have nibbled away at the Exclusionary Rule have argued that "judicial integrity" is undermined when illegal evidence is introduced in court.

If a majority of the Court now accepts the plea that it cut back on the Exclusionary Rule, it will be doing so

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under conditions that conflict with the caution that Chief Justice Burger expressed when he first argued in the *Bivens* case that it be overruled. Burger said then that he did "not question the need for some remedy to give meaning and teeth to the constitutional guarantees against unlawful conduct by government officials," and that he "would hesitate to abandon [the Exclusionary Rule] until some meaningful substitute is developed." In fact, there is no "meaningful substitute" now on the books, and if the Court repudiates the rule for "good-faith" errors it is removing the deterrence in precisely those cases where court decisions and jury sympathies make civil damages a hopelessly unrealistic alternative.

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# by Daniel Yergin

Poor détente.

Once a luminous grail, it has lately been chipped, scratched, stomped upon and its worth drastically discounted. Aside from being against Washington, there is no political position more fashionable today than being against détente.

The change has been extraordinary. After all, Richard Nixon was reelected in 1972 in some measure because of his foreign policy—certainly not for ending the Vietnam war, which was still to claim thousands of lives. He was the architect of the opening to China and of détente with the Soviet Union which were to usher in a generation of peace. In 1976, Gerald Ford finds himself the beleaguered executor of détente, unsure what to call it, uncertain how closely to align himself with its chief representative, Henry Kissinger.

The recent primaries and polls indicate that hostility to détente has struck chords with the American public. Defenders of the principle of détente must now prove that they are not naïve and soft-headed, that they do not shut their eyes to the repressiveness of the Soviet political system, or the aggressive strain in its foreign policy.

Although in politics victory matters more than truth, one still craves a clarity that is missing. Some prominent critics are attacking détente for what it has never been, what it has not done and what was never claimed. They are battering to the ground not substance, but rhetoric. When we look more closely at the "transaction" itself, it is difficult to find the giveaway that makes for such rousing speeches on the campaign trail.

It would be tragic if these attacks carry the day. Not that a President Reagan or a chastened President Ford would be more likely to get us immediately into a nuclear war. Such a President would be likely, however, to turn to that tried-and-false path—another increase in the size of our military establishment and a rush into new military technologies—that would enlarge the dangers for all of us. Constructive opportunities that now exist would be lost, and in three or 10 years, we would look back—as some look back to the Khrushchev years—and rue the chances that were lost. If all this comes to pass, we will also have to face the fact that we are paying the price for some of the outlandish expectations raised by the architects of détente.

What does détente mean? First, it involves making somewhat more explicit the implicit rules of the Cold War—that neither side will push too hard in areas of the other's vital interests; that some effort will be made to contain crises; that both sides will cooperate in avoiding nuclear war. These rules have been recognized since the Berlin Blockade of 1948. Many of us may have grown complacent about the dangers of nuclear war, but it remains a matter of the highest priority that the US and the USSR seek mutually-agreed-upon procedures to avoid the ultimate crisis.

Secondly, détente involves projects that might be called cooperative. The most important of these, growing out of the first concern, is arms control—the introduction of more stability into deterrence, restraint on further acceleration of the arms race, perhaps even reductions in the arsenals. Collaboration on such matters as nuclear proliferation is also of great

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importance. Also significant is the development of economic links.

Thirdly, détente is measured in increasing communication between the United States and the Soviet Union, both at the policy level and across a broader range. Détente, fourthly, is, then, a matter of atmospherics, an alteration in the psychological climate, a reduction in the state of permanent alarm on both sides, a devolution in the harshness of rhetoric. Some critics attack détente exactly because it does involve what James Schlesinger recently dismissed as "mood and symbolism," as though this meant it has no authenticity. But what leaders and the public believe and feel does matter, for people act on the basis of beliefs and perceptions. Psychology counts in international politics. For instance, our nuclear arsenal is not meant to be used, but rather to persuade the other side of certain ideas about the consequences of aggression. NATO exists not only to deter the Warsaw Pact but also to reassure Western Europeans that the United States will really do what it promises to do; that is, to guarantee the security of Western Europe against Soviet attack.

Détente has its limits. It does not mean that the competition for advantage in the world is over. Nor can we expect the Soviet Union to dismantle its ideology or military establishment. Our ability to influence the character of Soviet society is not nonexistent; it is limited. We have nothing the Soviets need so desperately that the Russian leaders will abandon their system of power. We can wield influence on the margins. But such real changes as are possible will come only from within Soviet society.

nd what has been accomplished? Some cooperative links have been established; there have been gains; but—despite the expansive rhetoric—there have been no vast changes. Let us compare the criticisms with what has happened.

*Détente is a one-way street.* This, the most frequent criticism, suggests that the Soviets have gained most of the advantages. More powerful is the charge (as expressed by Theodore Draper in the most compelling critique to date, in the February *Commentary*) that "appeasement was built into détente." According to this formulation, weak, short-sighted, inept, American leaders have handed over these advantages.

A student of Soviet-American relations cannot but be struck by the continuity in the themes used to criticize efforts to stabilize relations with the Soviet Union. In April 1945, just 10 days after becoming President, Harry Truman announced to his advisers: "Our agreements with the Soviet Union so far [have] been a one-way street." And Draper's pungent language is more than matched by Sen. Arthur Vandenberg's at the founding meeting of the United Nations in San Francisco, also in April 1945: "The conference opens today—with Russian clouds on every sky. I don't know if this is Frisco or Munich. . . . This is the point at which to . . . end the appeasement of the Reds before it is too late."

The continuity in *motif* does not mean, of course, that the criticisms are invalid. After all, the basic problem is the same: how can the United States, a liberal-democratic country, structure its relations with a state based on Marxism-Leninism, doctrinally committed to struggle, highly militarized, highly repressive in its practices, and our primary rival in the world.

But appeasement is a morally laden word in our political vocabulary. Those who use it should feel some responsibility to explain what they have in mind. What have the Soviets "gained" unilaterally through détente? What have we handed over to the Soviets? And, critically, what would have been *different* had there been no détente? The altogether illogical implication is that the Soviet Union would *not* have become involved in Angola had there been *no* détente. To blame the Soviet Union for the Yom Kippur war or for the hike in oil prices, as some critics do, requires a shunting aside of the central dynamics in both episodes. Israel's position is certainly worse than it was five years ago. But it is difficult to establish that the Soviet Union or détente bears primary responsibility.

Those arguing that relations have been a "one way street" are more specific. Let us look at some of the issues:

*The wheat deal of 1972-73 was a great bargain for the Russians.* They bought 26 percent of our total grain exports very cheaply; in the process they helped disrupt the world grain market and contributed to the inflation of the early 1970s, though less than did OPEC's price hike. But we should also remember that they did pay 1.2 billion dollars for the grain in those years. The Russians bought skillfully, and outsmarted the capitalists at their own game. Moreover, if we are going to insist that the grain deal was an unmitigated disaster for the United States, then we will also have to claim some victory in the fact that the Russians in 1975 ran a $1.58 billion trade deficit with the US.

*Trading with the West provides the Russians with an alternative to liberal economic reforms.* According to this argument, our commerce saves the Russians from disaster. What a comforting belief, for it convinces us that we have—through the granting or denial of our custom—more influence over the Soviet system than in fact we do. That system is able to deliver a rising, albeit slowly rising, standard of living. And what if it did not? The populace has been made to suffer before. Do the critics really imagine that political upheavals, such as those that occurred in Poland in 1970 forcing Gomulka from power, are likely to take place in the Soviet Union? And, if they did, that the results would resemble the results in Poland?

The Soviet Gross National Product is in the area of 700 to 800 billion dollars. Any level of US-USSR trade that we might realistically foresee could only be

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marginal to this economy. If the problems of the Soviet economy are as severe as some critics maintain, then it is hard to see how much marginalia can rescue it. When all is said and done, the Soviet Union can limp along, just as it has been doing.

Obviously, we want to make a distinction between providing the Russians with semi-automated equipment for producing all-winter boots and selling them advanced computer technology. But that distinction does seem to have been maintained in recent practice.

One might keep in mind that trade with the West—especially as contacts between Soviet enterprise managers and Western businessmen increase—in itself constitutes a kind of reform, an introduction not only of new techniques, but of viewpoints and ways of doing business from which the managers have heretofore been isolated.

*Angola.* We frequently hear that Angola is an example of appeasement or "one-way streetism." The Soviet (and Cuban) role in Angola is deeply alarming. If they hold their position, they will be well-placed to cause grave trouble in the already explosive Southern African area. It is neither in the interests of the Africans nor the West that the Soviets and Cubans retain their platform for troublemaking.

But the Angolan experience does not prove the critics' case. Blaming the Soviets relieves us of recognizing the weaknesses of US policy. Until 1974, we consistently supported the old colonial power. Then, stepping into a vacuum, we chose to back what, apparently, was the most inept faction: we allied ourselves with the white South Africans, sure to have a polarizing effect in Black Africa. While the Soviets' own involvement in Angola long predates détente, there is some evidence that they became far more active in response to what they perceived as a rapidly expanding American role. It is difficult to see how we can accuse the Russians of violating "rules" that we ourselves were not observing. The administration may have been slipping, even if not completely intending to do so, into a major covert intervention—as though it expected that Congress had learned nothing from Vietnam.

Détente implies a coexistence of a moderately normalized relationship with the older adversary one. After all, the Russians received Nixon in Moscow in May 1972, shortly after he ordered the mining of Haiphong. How can we expect that the halting steps toward détente would automatically abolish the old global chess board? If we are going to examine positions on the chess board to calculate the balance of power between the superpowers, then we ought to take into account that the US has, for the time being, scored a notable gain with the dramatic reduction of Soviet influence in the Middle East. That advantage may be far more important than the Soviets' perhaps temporary gain in Angola.

*The Soviets have not abandoned ideological warfare.* To substantiate that argument, the critics can draw upon a very rich array of Soviet quotes. Take Brezhnev himself, replying to Giscard d'Estaing last autumn: "International détente in no way puts an end to the struggle of ideas." But what does one expect? That the Soviet leaders will announce that they are not merely pursuing a policy of détente, but also that the dialectic has ended and they are abolishing communism? Statements like Brezhnev's do, in part, reflect the beliefs of the leadership in Moscow. But the element of cynicism in these pronouncements should not be discounted, for they are also meant to reassure the ideologues, to marshall the faithful as well as the faltering, and to legitimize whatever pragmatic programs the leadership decides upon. We should not be mesmerized by the rhetoric, nor should we assume that the Russians are all of one mind and sit around all day plotting how to achieve Moscow's ultimate Marxist-Leninist world hegemony. In truth, Soviet criticism of the US has been toned down substantially over the last few years; and, for better or worse, Brezhnev has committed his prestige to détente. James Schlesinger tells us that "Mr. Brezhnev at the recent Party Congress reiterated once again that détente in no way repeals the laws of class struggle." True enough—but that is only half of what the General Secretary said:

> *Comrades, the turn for the better in our relations with the United States . . . has, of course, been decisive in reducing the danger of another world war and in consolidating peace. . . . There are good prospects for our relations with the United States in future as well—to the extent in which they will continue to develop on this jointly created realistic basis when, given the obvious difference between the class nature of the two states and between their ideology, there is the firm intention to settle differences and disputes not by force, not by threats or saber-rattling, but by peaceful political means.*

And which is the "true" Brezhnev? Probably both.

*Arms control.* No argument is more politically devastating in our system than the charge that the US may have become "Number Two" militarily. Much of this kind of criticism has lately focussed on the efforts to limit strategic arms (SALT) which is central to the détente process. The agreements to date are alleged to have favored the Soviets one-sidedly.

The critics are generally operating on three basic assumptions: 1) They make a "worst case" analysis about Soviet political and strategic objectives. In so doing, they dismiss the notions that bureaucratic pressures may be important in the Soviet Union; that the decisions on strategic matters coming to fruition in the USSR today were made five or 10 years ago; and that Soviet perceptions of US programs and leads could affect Soviet programs. 2) They believe that the prospect of general nuclear war is insufficient to deter, say, a Soviet lunge toward the Rhine. They argue that, for deterrence to be effective, we need to match and

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beat the Soviets in every form of technology. 3) They see security in arms control only if the process underwrites American superiority. They tend to be one-sided in the way they evaluate that superiority. Lately, for instance, the critics have emphasized the importance of the Soviet Backfire bomber, while rather ignoring the advantages of our own forward-based systems in Europe and the Mediterranean.

If one accepts all these assumptions, then SALT is not to America's advantage. But we need not accept them. One may assume on the contrary, that the prospect of any kind of nuclear exchange is so uncertain and potentially devastating that it is sufficient deterrence. One may also reason that meaningful arms control will have to involve concessions on *both* sides in the interest of stability. One may see the logic of operating on the most likely interpretation of Soviet objectives, rather than the worst. Furthermore, one may argue that arms control promotes US security not only by reducing tensions and narrowing the range for miscalculation, but also by providing each side with some assurance about what the other is doing.

iewed in this light, the SALT process has brought some modest gains. The numerical ceilings on strategic delivery vehicles and on MIRV missiles in the Vladivostok accord of 1974 may be high, but at least they give a fixed number with which to work. They point toward a framework for further negotiations. The costs have not been high for either side. Jan Lodal, formerly of the National Security Council and the Department of Defense, has written: "As was the case with SALT I, the agreement probably imposes some real, although modest, levels on the Soviet strategic program, but imposes no operational limits on the US program when compared with what we would have done without the agreement."

Indeed, one may criticize SALT from the other side, arguing that it really has done very little. It has partially shut some doors, but meanwhile technological advances are opening new doors, the most important of all, perhaps, onto the cruise missile.

It would be interesting were one of the able critics to experiment by writing an attack on the SALT process from the viewpoint of an imaginary Soviet critic, for data interpretation in the arms area tends to be a tricky business. Significant insight, for instance, has come to light on the "Soviet naval buildup." The Defense Department has been claiming that the Soviet Union built 205 "major combatants" between 1965 and 1976, as opposed to 165 for the United States. But information recently supplied by the Pentagon to Sen. Patrick Leahy (D, Vt.) shifts the meaning, for it indicates that a large number of those Soviet "major combatants" were small escort ships. In fact, between 1961 and 1975, the United States built 122 "major surface combatants" of more than 3000 tons, while the Russians built 57.

In some areas, it is true, the Soviets have sought maximum advantage at minimum cost. The scientific exchanges have been asymmetrical. This results partly from the lead that American science holds in most fields. But it also results from the way the Soviets have run their side of the exchange. A distinguished Soviet scientist, for instance, will accept an invitation to a conference in the US. But, without announcement, he will simply fail to appear—or an institute hack will turn up, uninvited, in his place. Soviet regulations also hamper Russian scientists from sharing results of research with colleagues in the West, although the Russians are keen to extract the maximum amount of information from American scientists. (Some American scientists do say that they see some improvement recently in official Soviet behavior.)

The cultural exchanges have also lacked parity. Soviet ballet companies perform under first-rate conditions in the US, while American companies find themselves subjected in the USSR to gross indignities in such important matters as musical accompaniment, choice of repertoire, sets, lighting, working conditions—and in the rough treatment they see handed out by security officials to Russian fans.

There is no reason to accept such asymmetries, but these can be corrected through attention and bargaining.

To say that détente has not involved concessions by the Soviets is to shut one's eyes. Americans tend to forget the stabilization in Berlin's position over the last half decade. We also overlook the significance of the European Security Conference, especially the reluctant Russian acquiescence to Basket III (the human rights package)—on which they will be carefully scrutinized at the review conference in Belgrade in 1977. The Soviets have also stopped jamming much broadcasting from the West. Contacts have increased. Groups are developing in the Soviet Union that have a vested interest in maintaining relations with the West on a "business-like basis"—just as there are other (and very powerful) groups in the USSR threatened by and opposed to expanded contacts.

Most American critics and advocates of détente are joined in their basic interest in seeing more respect for individual rights and liberties in the USSR. The question becomes how best to further that cause. Draper, in his powerful attack on détente, writes: "Whenever there is danger that decreasing tensions will foster changes in Soviet society unwanted by the party, repression is increased." Yet the periods of greatest oppression coincided with periods of isolation and high international tension—the late 1930s and the late 1940s. Stalinist terror depends upon isolation. The political costs of repression increase for the leadership when: 1) the world outside the USSR can find out about it, and 2) the Soviets may have to forfeit other desired goals in relations with the outside world because of their repression. Those costs can vary from denial of most-favored-nation trading status with the US to

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problems with the Western European Communist parties. The Soviet Union has, though not willingly and with a great deal of bluster, shown itself more responsive to pressures from world opinion in the last few years. Those who say détente is a one-way street should recall the unprecedented fact that 130,000 Jews have been able to go the other way, into emigration.

There is one final important criticism—*that there is too much reliance on secret diplomacy.* Such criticism makes sense in an ideal world. In practice, decisions and shifts in policy are made only at the most senior levels in the USSR. Even questions about casting for *The Bluebird,* the recent US-USSR film co-production, were referred to the Council of Ministers. If we want to pursue business, then it must be done at the top, and a good deal of it quietly.

Yet this criticism does in an indirect way point to a most important problem in détente. Many of the critics are really criticizing the way détente has been sold in the United States, although they tend to miss that distinction. If pressed, some will admit that they believe the most deleterious effects of the policy have been on public opinion—that we have been lulled into a stupor and so have let down our guard. Thus, James Schlesinger: "Some years ago the euphoric view of détente was widespread that it means the possibility of conflict had ended and we could afford unilaterally to disarm." Those who fear this has happened would want us to return to a state of permanent alarm. But this criticism would be much more telling if they could show that in fact we have let down our guard. Angola offers no proof. Congress did not cut off funding because of illusions about détente, but out of fear of another ill-conceived, covert foreign adventure. The surest barometer of readiness is the defense budget, and it simply does not show any failure of resolve.

Opponents of détente, however, are correct in calling attention to the way in which détente has been oversold to the American people. That exaggeration provides the margin—the distance between reality and expectation—in which the critics operate most effectively and truthfully.

If a consensus for a policy of détente disappears, those bearing chief responsibility will not only be its antagonists but also those who presented détente in such inflated and personalized terms—Richard Nixon and Henry Kissinger.

hy did they turn détente into a series of television spectaculars? A certain amount of hoopla and show business is appropriate to summitry, especially in a visual media age. Nixon and Kissinger may also have worried that the inertia of the anti-Communist consensus could only be overcome by a massive marketing campaign. For the Soviets it was important to demonstrate that the collective leadership endorsed the policy.

These are reasonable explanations, but insufficient. Détente burst upon us in 1971-72, at a time when all effort in the administration was subordinated to the single overriding task of securing Nixon's reelection. He had failed to deliver on his most important 1968 election pledge, to bring an end to the Vietnam war. Détente (along with the China opening) did much to obscure that signal failure, and to create media victories for him right through to the election day. But Nixon and Kissinger monopolized the détente process to an alarming degree; they turned the process into a magic show. Thus, they hostaged détente's fortunes to their own. Nixon's fall dealt it a major blow; like all his other works, détente was automatically called into question, just another in his bagful of tricks. The press then fastened onto Kissinger as the one bright light in the darkening sky of the Nixon administration. Détente became even more personalized. Now, as Kissinger's own position erodes, détente becomes more vulnerable and suspect.

Kissinger attempted to build a consensus not through the Congress, but by manipulating the press. For a time, he was brilliantly successful. But the resultant consensus was highly personal and therefore highly unstable. Media stars should know that the media are fickle—and that others can manipulate them as well.

Two years ago, Dean Rusk remarked about détente: "The first verse of the first chapter of Genesis was not dated January 20, 1969." It would have been better had Nixon and Kissinger tried to involve other influential leaders in the policy of détente, shared the spotlight with congressmen, emphasized how détente represented not only change, but also continuity with previous US policies. Support for détente today and for Kissinger himself would have been greater had he *and Nixon* been more modest, less greedy, less insistent in claiming that they were the alchemists who had discovered a method for making a generation of peace out of dross.

Détente is a sensible enterprise, and we would do well to continue to pursue it. The costs have not been extensive for us—nor for the Soviet Union. But it should be, in Sen. Humphrey's phrase, "détente without illusions": without illusions about its limits, about the character of the Soviet system or the expansionist elements in Soviet foreign policy.

Détente bears certain resemblances to the standard of living. Once you reach a higher plateau, you forget how much more uncomfortable you were at your old level. Instead, you grow disenchanted with what you have attained, and complain that you are being shortchanged and want something still better. Détente does represent a significant improvement in the international standard of living. There is the prospect of further improvement, though it is hardly guaranteed. When the rhetoric and the outrage subside, we will see that détente is deserving of some modest praise and further effort.

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# Arts and Lives

## Underground and Above

*Underground* (New Yorker). Hats off to the people who made this film about the Weather Underground last year and who successfully fought a Justice Department subpoena ordering them to turn over their negatives and tapes.

Hats on again for the film.

Emile de Antonio, Mary Lampson and Haskell Wexler are very well-known as, respectively, director, editor and cinematographer. Last year they decided to make a film about the Weather Underground, the survivors of the Weatherman organization of the '60s which was the radical group responsible for 24 bombings. (Three of their own group were killed—the only casualties they caused—in the 11th Street explosion in New York.) The object of the film was to find out what had happened to extreme radicalism since the '60s, what had happened to this group in particular, what they thought they were doing now. The film-makers located five Weather people, all fugitives from the law, in Los Angeles: Billy Ayers, Kathy Boudin, Bernardine Dohrn, Jeff Jones and Cathy Wilkerson. The five agreed to be filmed under certain conditions.

Wexler never shows their faces. Mostly he shoots into a large mirror placed behind the five seated Weather people. What we see are the backs of the five with Wexler facing them and us, camera in hand. The faces of these five are very well-known to the authorities: stills and newsclips of them from the past are even woven into this film. Have they had plastic operations or dyed their skins? Anything less makes this "hidden" process mere romantic hugger-mugger.

The film consists of segments of interviews with the five, spliced with newsreels or video tapes or stills of themselves and of incidents to which they refer. A generous term for the method would be collage. At least it does provide some relief from talking heads—backs of heads—and it does often refresh us visually on the matters discussed.

As film-making *Underground* is patchy and distended. But the patchiness might be tolerable if something substantive came out of it. All we get are the same rhetorical parrotings we got in the '60s, now supposed to be hallowed somewhat, I assume, by the fading of an era and the persistence of these people. Sanctity and sagacity don't attach to political fugitives just because they're fugitives constant to their beliefs, nor because this country is raddled with corruptions. Those who are sacrificing themselves to a revolutionary cause need to convince others more about the cause than the sacrifice. What we get here is only more political sentimentality and distortion.

Dohrn says: "If you understand what happened in the Vietnamese war, and why the Vietnamese defeated the US, it makes the possibility and the inevitability of revolution in the United States very clear." This is more glib campus hogwash. Many of us understand a bit of what happened in that war, protested against the war from the days before it really started, and predicted US defeat from the beginning, yet do not believe in the "inevitability" of US revolution—certainly not out of the Vietnamese experience.

Boudin says that in 1961, when she was 17, she was in Havana and saw a seven-hour celebration of the Cuban revolution. Then came a military parade. She cheered, then cried because she was cheering tanks and guns. A Cuban friend said consolingly, "We don't like to have guns and weapons either, but it's your country that makes us have to do this." Boudin adds: "Three months later the Bay of Pigs invasion occurred, and I understood what he meant." From which we may infer, I suppose, that if there were no US, there would be no Cuban arms; if there were no US—or if there were a differently oriented US—there would be no Communist militarism or oppression or murder anywhere in the world.

These people say explicitly, "We think of communism as the highest aspiration." This is supposed to touch chords of sympathy or at least of admiration for integrity. Many of us think otherwise of communism, and are not thereby enrolled with William Buckley, Jr. Just as anti-communism is too important to be left to the anti-Communists, so profound change in this country is too important to be left to the Weather Underground. De Antonio and friends have brought us back little that is fresh or enlightening from their journey underground, and the film they made of their journey is itself unimpressive.

*Film-politics note.* Last March the Writers Guild of America west (*sic*) gave its annual Laurel award for screen writing to Michael Wilson. Any reference book will tell you that Wilson worked on such respectable films as *A Place in the Sun* and such stinkers as *The Sandpiper*. Most reference books will not tell you why he got the award, although the reasons have been an open secret for years and were published in Dalton Trumbo's *Additional Dialogue* (1970) among other places.

Wilson was blacklisted in the 1950s and spent a number of years abroad. Another former political exile, Carl Foreman, made the Laurel presentation address. (Published in the WGAw Newsletter, May 1976.) Foreman reminded the gathering of the trade laugh of 1957 when the Oscar for screenwriting went to Pierre Boulle for *The Bridge on the River Kwai*. Boulle had written the original novel, but could neither speak nor write English, and of course did not appear at the ceremony. The screenplay had in fact been written by Foreman and Wilson, who were blacklisted at the time. (The year before, an Oscar had been won by "Robert Rich" for *The Brave One;* "Rich" was the blacklisted Trumbo.) Wilson's name was not on *Lawrence of Arabia* five years later although, said Foreman, the Writers Guild of Great Britain gave him equal credit with Robert Bolt for that screenplay, as well as the award for the

## Films Worth Seeing

*All the President's Men.* Admirable try with tough material for film. Anyway, we bring much of the excitement *with* us.

*Face to Face.* Liv Ullmann at her best, though not Ingmar Bergman at his, in this exploration of "normality."

*One Flew over the Cuckoo's Nest.* Specious mental-hospital allegory, but Jack Nicholson is immense.

*The Story of Adèle H.* Truffaut and another of his crazy ladies. Fine romantic sweep, much distortion of alleged biography.

**SK**

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best screenplay of 1962.

Wilson noted in his acceptance speech that he was the sole author of the screenplay of *The Friendly Persuasion*, which he wrote in 1947. By the time the film was produced, in 1956, the Board of the Writers Guild had agreed that any writer who had been a hostile witness before HUAC did not have to be credited by a producer. His name was stricken, although the producer was forbidden to credit the script to anyone else. "And so for the first and perhaps only time a Hollywood picture was released that wasn't written by anyone." Now the Writers Guild was giving him its highest award.

"Thus the whirligig of time," said Shakespeare, "brings in his revenges." Occasionally, anyway. A few, anyway.

*Book Note.* R.R. Bowker Co. has just published the second two-volume set of the *American Film Institute Catalog*. This set deals with the feature films of 1961-70, has 2244 encyclopedia-size double-columned pages, and costs $90. If you can find or steal $90, especially if you are a library, you must have the set, just as you must have the previous set covering the feature films of 1921-30. Eventually the catalog is to cover all films theatrically presented in this country from 1893 to 1970, including shorts and newsreels. This latest set treats every film at least 45 minutes long that was shown in American theaters in the decade specified, excluding foreign-language films that were neither subtitled or dubbed.

Volume One lists every film alphabetically with all available data about its makers, release, cast, running time. (The entry for *Lawrence of Arabia* lists Robert Bolt as the sole credited author but adds a note that Michael Wilson did not receive credit for his work.) Then there's a plot synopsis, even for such an "experimental" film as Hollis Frampton's *Zorns Lemma*. ("Over a blank screen, a didactic female voice recites alphabetic couplets from an early Bay State primer. . . .") Each synopsis is followed by subject headings under which the film can be found in Volume Two, the index volume. That volume also includes an alphabetical list of all individuals in the first volume along with appropriate credits; an index of literary and dramatic sources; and an index of countries of origin. Richard P. Krafsur is executive editor.

In reviews of the first set Kevin Brownlow and Herman G. Weinberg found some errors but treated them as minor correctable blemishes on an invaluable work. Spot-checking, I haven't found any errors in the new set, but I assume there are some. What of it? If ever a reference set was worth $90 to the interested, this is it.

## Recent Recordings

At Nashville's Sun Studios, December 1954, six months into his career yet unknown beyond his region, leaning into one of the comical mikes of his time, Elvis Presley began a slow take of the old "Milkcow Blues Boogie," stopped mid-phrase, turned to his two-man band, said, "Hold it fellas. That don't moooove me. Let's get real, real *gone* for a change." Which they did, as you can hear on the new *Elvis, The Sun Sessions* (RCA). Elvis fused blues to country & western with such intensity that the miscegenated progeny of his songs escaped their genetic inheritance. The sum was greater than the parts—and fusion has been the name of the game ever since.

It's useful to recall that scene because what passes for fusion music these days falls short of Elvis' intensity and thus of his escape. As played by Tom Scott and David Sanborn and Grover Washington, fusion music is an attempt to create a new stream that can multiply the $2.3 billion sales the record industry did last year (as compared to $377 million before Elvis performed his fusion). The problem is that these performers sizzle

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Our company operates under the free enterprise system and is basically like other insurance companies. There is one difference, however. We are union through and through. Our office force, and our agents all are union members and are covered by negotiated contracts.

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at their best, fizzle at their worst, and not one of them has yet precipitated anything like rock—as Ronnie Laws' *Pressure Sensitive* (Blue Note) makes clear. Remarkably popular and exactingly played, still his record remains a bath of electric pabulum. It shows how current fusion music is not really jazz-rock or rocky jazz, as it is often described, but jazzy pop. The muse of this fuse is not the blues, but the sound of suburbia succumbing to freeways, parafoods and appliance hum. Supportive rather than demanding, baiting rather than grating, this music rarely gets real, real gone. That's why it holds down the middle of the record scene.

At an entirely more complex level of the attempted fusion, where the shapes are more adventurous, operate some of jazz's most promising musicians, as on Flora Purim's *Open Your Eyes You Can Fly* (Milestone). Promise, though, is not performance. Having worked with Chick Corea's Return to Forever, Purim is infected with Scientology, the mystical pollyannaism so charismatic to Corea's people. The title tune is a hymn to painless liberation (words by Neville Potter, music by Corea, voice by Purim—the Three Musketeers of Scientology). Combine that with a conspiracy of instrumentation and distortion to squeeze all timbres to percussive sameness and the result is driving but emotionally stunted. The second side has wider range because Hermeto Pascoal, the Brazilian pianist and flautist, composed most of the cuts, and because Purim breaks loose some of her best exploded scats, her "wordless vocals." I hope the sequencing suggests she is ditching the "Have a Nice Day" sloganeering.

A more satisfying constellation of electric jazz has as its sun Miles Davis' constantly changing group. Joe Zawinul and Wayne Shorter are the core of a satellite, Weather Report, and both have played at important moments with Miles. Their recent album, *Black Market*, (Columbia) begins with sounds of African bustle and barter, a babble of tongues from which the music emerges, and then which it furthers, until the title song fades into deep booms of a village besieged. Next is "Cannon Ball," presumably a punning tribute to the late Cannonball Adderley. And the irony is that European culture, whose hardware conquered African tongues, must now suffer a return volley—the soft cannon balls of jazzy subversions, shot by the saxophone styles of Adderley and Shorter himself. And all of this points toward "Gibraltar," a rough passage strong enough to absorb initially trite water-against-bow gurgles into Zawinul's series of stormy surprises.

Miles Davis recorded *Agharta* (Columbia) live in Japan just in time to sneer in the teeth of the instant folklore his recent life has inspired: Davis crippled, Davis coughing blood offstage during breaks, Davis has lost his chops, Davis is the old man baring his chest to hide his soul. While *Agharta* is no giant step forward, the record simply negates the criticism that his new music is formless. There are forms and forms: these shapes are fleetingly fluid rather than mathematically graphic. The long cuts exploit that slipping and sliding principle of the blues, of which the blue note is the smallest part and improvised shape is the parcel.

Here's what happens on "Theme From Jack Johnson": eerie, unplaceable sounds open hauntingly, with more of rhythm's hint than any identifiable time signature. Quasi-patterns slowly declare themselves and dissolve into a driving electric guitar solo by Pete Cosey that even has melodic elements. This is freeform jazz developing without discursive elaboration, without instruction or specific meaning, though it is by no means precious, withdrawn or indulgent. What's clear here is that Davis is not aiming to be edificial in any sense of the word. He does not edify, nor build edifices, nor want to be edified, ossified, caught in a career. In cutting his audience adrift in this music, he cuts himself loose from the frame of expectations built up these last 30 frontline years. His pieces accrue power now, and they do communicate, but they speak less of information than of moods, of pure disembodied intuition and ideas. (And one is reminded of Anthony Braxton albums on Arista that have molecular diagrams for titles.) Miles' sequences follow themselves less logically than plausibly, so that one marvels at the leaps and links rather than at any preordained structure. They have impromptu shape and are not so much anti-intellectual as excited by ideas of a different order. This is music megapolitan mania, one thinks, and suddenly notices that Miles' alternate trumpet and organ have washed into seesawing, snaking, electronic sounds again. And the side is done.

I obviously like Davis' recent work, but the argument that no one needs to go quite so nuts in order to comment on the world's writhing changes also makes sense—as Duke Ellington's posthumous *The Afro-Eurasian Eclipse* (Fantasy) establishes with more than his usual wit and polish. The album's showpiece is the opener, "Chinoiserie," introduced by Ellington's spoken reference to McLuhan's thesis that the world is "going Oriental," and closed by some all-time Harold Ashby tenor-playing that is the epitome of jazz ribaldry. Ellington also plays duets with bassist Ray Brown on *This One's For Blanton* (Pablo). Aside from its historical importance—an often intrusive factor in Norman Granz's Pablo productions—this album repays successive listenings, so that Ellington's generosity reveals itself in ways that hide in his band arrangements. That generosity extends itself even past his death as a sort of opportunity for others to ride his work. Thus Kenney Burrell, Ellington's favorite guitarist, has gathered together a strong cast for a fine tribute that he hopes to repeat annually—*Ellington Is Forever* (Fantasy). The great tunes are here, quietly arranged in the Burrell mode, but the highpoint for me is the "Blues Medley" on side four—because it recalls how Ellington earned his wit by compassing pain so well. He was the last Renaissance man, entirely nonchalant about striding anomalously through this century's neon snakepit.

Tributes to Ellington and Cannonball Adderley are part of the record industry's attempt to provide itself a backbone. Thus companies such as Arista, Fantasy, Blue Note and Pablo are not only helping us know the history of American music, but also insuring its future (and company profits) by reissuing landmarks, frequently from the years of rock's dominance. Arista's double recording of Cecil Taylor, *Nefertiti, The Beautiful One Has Come*, makes available the music of one of our most intelligent composers and passionate performers from dates in the early '60s when his current audience was cruising for burgers and listening to Phil Spector. Arista also released in April a large chunk of the old Savoy catalogue: double albums beautifully documenting Charlie Parker, Lester Young, John Coltrane and Wilbur Harden, Milt Jackson, Yusef

**Coming**

Calvin Bedient on
new poets

Murray Krieger on
new critics

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Lateef, Cannonball Adderley, Erroll Garner and early Harlem jazz. Whitney Balliett wrote an ode to Charlie Parker (curiously derivative of himself and of Ross Russell) in the *New Yorker* about this series, but I would also point to the Coltrane (recorded 1958) and Lateef (1957) albums as particularly important lost roots for present vines. Likewise, Norman Granz has boxed Art Tatum's brilliant piano music, solo and group, on his Pablo label, in an attractive format for future scholars. The catch in all this is that Art Tatum, blind and black, spent his life in bars and dancehalls making music for poor people, while his recorded legacy, bound in creamy boxes, can be readily afforded only by libraries and rich people.

Nor is there any doubt that the music poor people buy still dramatically affects the whole market. The impact of disco music is everywhere now, perhaps even more in rock than in jazz. Why else would Bob Marley and the Wailers (*Rastaman Vibration*, Island) tone down their music and go mushy with their lyrics? Reggae music, of which Marley is still the best practitioner, stood as a genuine black rebuke to *process*, whether cultural, tonsorial or electronic. But disco forced it to clean up its act if it was serious about selling in North America. Thus *Third World* (Island), by a group with the same name, is a promising first album, showing how musicians grounded in reggae can press against the form successfully. Reggae is the pleasantest of protest music; that's why Third World's "Freedom Song," although political from nose to toes, makes it difficult for sitters not to stand, standers not to dance, and dancers not to dance better. And there is nothing better than a good dancer.

If the Rolling Stones' least successful cut on their new *Black and Blue* (Rolling Stones) is a reggae song—"Cherry, Oh Baby"—still the spacious translucence of Jamaican music has affected them deeply. In fact, the strength of the album reflects their multiple glommings of disco and reggae, as well as borrowings from earlier black styles. Solomon Burke, Percy Sledge and Sam Cooke rush through these songs like arguments blown down an air shaft. The record's final three songs are a vinyl triptych of controlled madness and violence. "Melody" begins it with Jagger and Preston knifing each other with their voices—the credits call it "harmony"—and the music grows more and more nightmarish until there's nothing left but bats in the face, rats at the feet and spiders in the ear. These three songs finally provide an adequate justification, or reimagining, for Jagger's infamous macho posture. That is, when Jagger screams to his "Crazy Mama," "if you really think you can push it / I'm gon' bust ya knees with a bullet," well, at least the music has made the threat understandable. These lines are the only ones on the album that hearken to the old "Under My Thumb" cockiness—although Jagger does imagine killing a man in "Hand of Fate"—and the attitude now is hardly cocky. Instead, Jagger's a victim fighting against the surreal contusions, the blackness and blueness, that Watts, Wyman, Preston, and especially Richards deal him. As with all the good Stones albums, this one is initially repellent and wins its stature only grudgingly, conquers its bruising banality only barely. And that's praise.

Like the Stones, Brian Eno (*Another Green World*, Island) has learned the importance of silence looming and lurking, syncopated between steps of sound. Like the Stones, too, Eno's music is a soundtrack to movies it spawns in the mind (though Eno's flicks would be more abstract than the center-city nightmare Jagger-Richards project). Silence is related to that; indeed its spaces do the spawning. Brian Eno credits himself with playing, among others: snake and digital and desert and castanet guitars, treated rhythm generator, choppy organ, uncertain piano and Farfisa organ. The list itself makes as fair a description of his music as possible: the man's other green world is an electronic one, with personality retained. And that may be the secret lesson of current fusion music—not that it is good, but that both rock and jazz will find new greenery in the electronic thicket. If all this music is one collective dream tossing and turning its way across the land, then what it most wishes to fulfill is its urge to merge—people with people, naturally, but also with electronic energy. It's a shock.

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# Books Considered

## Schooling In Capitalist America by Samuel Bowles and Herbert Gintis

(Basic Books; $13.95)

Our traditional allies, the Chinese, are said to have a curse: "May you live in interesting times." One of the byproducts of the interesting time of troubles we've lived through has been a new spate of critical scholarship on education. Most of it has been "revisionist" in one or another senses of the term. The revisionist sociologists and historians have been kicking large dents in the conventional wisdom about the role of education in our society, without yet replacing complacent commonplaces with a new and persuasive unconventional wisdom.

Curiously enough, most of the revisionism so far has been much more influenced by functionalist sociology than by Marxism. In theoretical terms, the revisionists have focussed on the role of changing values and bureaucratic and organizational forms in explaining how schools function to serve the interests of elites. Class analyses, particularly accounts of contradiction and conflict, have been very rare; politically, the revisionist perspective has, like so much recent thinking on the left, reflected a kind of despairing anti-organizational anarchism. Now come two thoughtful neo-Marxists with an interesting addition to the cluster of revisionist arguments. In *Schooling in Capitalist America*, Samuel Bowles and Herbert Gintis offer a full-blown Marxist account of the function of schooling in American society, a historical account of the development of education, and a critique of recent liberal educational reform. As Marxists, Gintis and Bowles argue that the function of schooling is to reproduce the unequal social relations of capitalist production. Schools transmit privilege and power and instill the right virtues in workers. Below the college level, they teach passive, punctual and tidy virtues suitable for low-level jobs. Colleges teach the internalized self-discipline required for middle level corporate work. And elite colleges go beyond this to encourage real independence of thought and initiative, the general staff virtues necessary for professionals, managers and leaders. Much recent discussion of schooling and its effects has centered on academic and cognitive achievement. Bowles and Gintis revive older traditions of educational discourse by talking about character. They say the main business of the schools is producing social character, not developing intellectual or academic skills. This emphasis, they believe, will not change until American society democratizes its economic institutions. The argument is neo-Marxist, not neo-anarchist, because they do not see technology or hierarchical and bureaucratic organization as the root causes of our educational ills. The root cause is the unequal system of social relations engendered by a capitalist society in which disparities of wealth and power take on a systematic, class, character.

Much current revisionist work on the schools suffers from weaknesses that, in theoretical terms, a Marxist approach might repair. There are three big problems in particular. Debate tends to be woefully ahistorical, even when it centers on the role of education in the past; presentism is a real vice. A second problem is that, so far, the revisionists lack suitable categories for explaining conflicts over education: most revisionist accounts skip over the important fact that schools have served as major arenas of conflict in this culture. And thirdly, the revisionists generally fail to account for the widespread consensus among different groups in the past as to the value of education, notwithstanding the fact that schools have been the focus of intense conflict. The second and third problems are particularly important. Revisionists have not offered good explanations of the school wars of the past; even the most radical have been in effect writing a gloomy version of conflict-free "consensus" history stressing the neat fit of schools with abstract social forces and elite intentions. And the revisionists don't seem even to be able to account for the popularity of education among groups supposedly victimized by the school machines and culture factories of the past.

Most recent educational histories have focussed on how and when changes took place. Many are generally excellent, but they are seldom precise and explicit enough about why change has happened. In theory this is what makes a Marxist approach inviting, for it says change took place because some people wanted to maintain or enhance their economic and political power. This is surely a part of the story that the historians of education have neglected. In theory then, a Marxist model, with a commitment to historicism, an emphasis on class conflict and contradiction, and an analysis of who benefited from change, looks promising.

Bowles and Gintis set out to analyze the two major reform periods in the American past—the Common School crusade, and the Progressive movement—as responses to the contradictions arising out of capitalist expansion and the need to incorporate new groups into the wage labor force. They argue that school reform was the work of progressive capitalists who controlled leading sectors of the economy. In times of crisis, workingmen demanded expanded education, and leading capitalists acceded to their demands, but tried to adapt schooling to reproduce the inequalities of the system of production and further capitalist goals of efficiency, control and legitimacy.

On one important level, Bowles and Gintis differ very sharply from most revisionists: they interpret educational change as the outcome of class conflict, not class domination. Schooling in this view was not an elite conspiracy. Rather, workers pushed for and got schooling; but part of the price was that the ruling classes determined its form, controls and content. This is an interesting framework. It begins to get at the long dialectic between democratic aspirations and unequal power in the history of American education, which is a much more interesting and complex story than the usual revisionist melodrama of wicked elites and passive masses. Yet for the most part, Bowles and Gintis stray from this promising framework. They forget about conflict and contradiction; the workers drop out of sight, and the story becomes a straight revisionist parable of class domination. The interpretation is functionalist and sociological: schools, once again, are rational and efficient culture factories smoothly tooling children up for the changing needs of capitalist industry. The children are passive victims; so are the workers. And the focus, as in so much recent revisionism, is solely on elite intentions.

Yet we are not left with a clear picture of who made up the capitalist interests. Bowles and Gintis do not speak about

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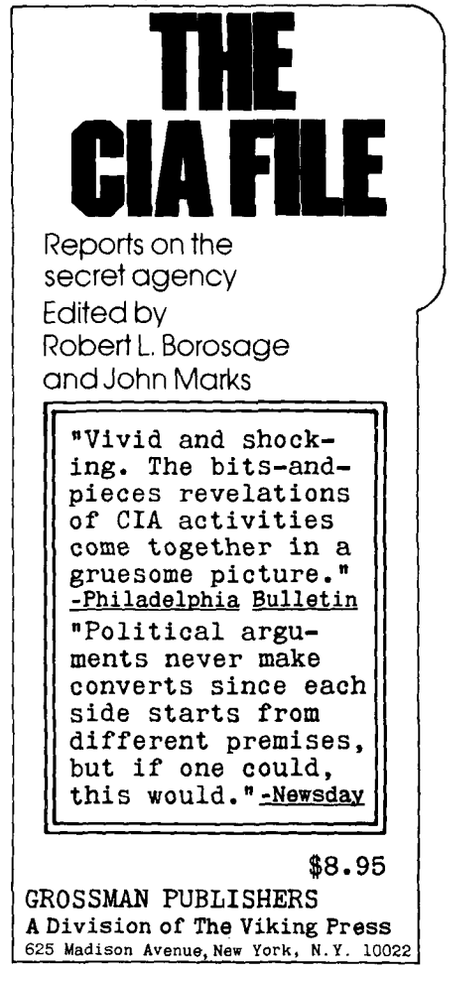
divisions among capitalists, although these have plainly existed—in the debates over child labor and compulsory education, for example. Nor is it clear that education has in fact been a major concern of leading American capitalists. The assumption of a clear capitalist interest in education needs demonstrating. At one point, Bowles and Gintis concede that perhaps the disappearance of schools would lead to the creation of other social mechanisms to reproduce the unequal system, which indicates that schools may not be as central as the drift of their analysis suggests.

Bowles and Gintis are certainly right that the Common School promoters spoke of schools as factories. But what of the workers who clamored to enroll their children in them? The capitalist's desire for an obedient workforce is not the same as the workers' wish for literate children and safe babysitting care. Bowles and Gintis overlook the possibility that different groups have interpreted the role of schooling in very different terms. The question I'm raising here is very large. It is one aspect of what might be called the issue of legitimacy or consensus. How do we explain the persistent Americanism of American workers, which has often extended to such institutions as schools? (High schools have long been seen as benefitting the middle class: but before the turn of the century they were mainly elite institutions anyway.) There are several ways to tackle this question. One is to argue that the working classes have been fooled, failing to see the systematic inequalities of the system in general, and of the schools in particular. Another would be to emphasize the repression and violence that saturate American labor history, the most violent of any Western nation. Both these lines of argument probably figure in the story. A third approach would be to try to understand in what ways and in what circumstances it has made sense for American workers to go along with various features of the system, including its schools. A complete exploration of this third tack would go beyond issues of ideology and false consciousness to explore the actual experience of individuals and groups in schools and in places of work, the immigrant experience, the consequences of group advance from generation to generation, the "status elevator" provided by fresh waves of poor newcomers, the high real wages and the growing, if maldistributed wealth of the population, the effects of widespread geographical mobility, and the reality of social mobility, including some mobility through schooling for a few. There has been far less social mobility than legend tells us; yet there has been substantial, up, as well as down, perhaps enough to legitimate the American social lottery in the eyes of many players. My guess is that most Americans know somebody who has made it against the very unequal odds of our society; many continue to hope their children will number among the winners, rather than the losers. A more subtle approach to what the historical actors in the working class made of schools would also look into the role of local politics, which the revisionists have neglected. It may be that American workers have agreed with Marx, if not subsequent analysts, in placing a real value on democratic political participation. It would be crucial, too, to examine the role of ethnicity, race and religion in shaping the perspective of the American working class on schools and other institutions. So far, it seems to me, revisionist scholarship has not been able to account for why the diversity of America's peoples has so often been more evident to workers than clear-cut class lines and interests.

It may also be true that a neo-Marxist framework has more power to order the facts of some historical periods than others. A mainly economic interpretation of American schooling before 1900 can tell us something about capitalism and its intentions, but in 1900 the average student only finished five years of school, and the relationship of that school experience to later economic roles is far from clear. I persist in seeing a pervasive political and moral cast to much 19th century thinking about schools. It is true enough that the moralizing was about character and what we call the work ethic, but it may not be wise to read our profoundly economic interpretations of education back into a past where other issues were on the minds of both elites and workers. The idea that America was a radical experiment in republican government, the sense of urban chaos and crisis, the religious, political and class wars over schools generated by the advent of immigrants and a widespread hunger for education—were as important as the needs of the wage labor system for disciplined factory workers. The argument that education developed mainly to produce a disciplined industrial wage labor force fails, moreover, to account for the spread of schooling in communities of family farms, which were of course the sort of communities that most 19th century Americans lived in. Bowles and Gintis are on stronger ground in applying Marx to the era of Progressive social and educational reform, when those trying to reshape education according to the needs of the emerging corporate order were amazingly explicit about their intentions. Even here, though, a subtle Marxism would look for contradictions, anomalies and tensions.

The historic model is too simple: it ignores conflict over the schools and really fails to account for their legitimacy. It is too parochial, as well. It deals only with schooling and American capitalism, not with the world-wide phenomena of nation-building, economic growth and the spread of bureaucratic mass organizations. Marxists are rightly critical of the way that much current social science theorizing rests its arguments on rubbery abstractions such as "the organizational revolution," "modernization," or "urbanization." Neo-Marxism has its pitfalls, but it is useful for the way it reminds us to keep our eye on just precisely who is "modernizing" whom, the crucial issue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of power. Yet given the international scope of the story, and the remarkable organizational similarities among systems of mass education in Socialist and Communist, as well as capitalist nations, it is plainly wrong to speak of education mainly as a manifestation of capitalism.

In terms of present policy, I believe some of the basic contentions of *Schooling in Capitalist America* are valid and important. The enormous expansion of schooling in the last 50 years has not markedly altered the distribution of wealth, power and status. The inequalities of a capitalist society are decisive constraints within which egalitarian and other sorts of educational reform takes place. (Although capitalist nations differ markedly on the degree of inequality.) Contrary to the belief of many, America is far from being a meritocracy in which IQ and cognitive skill determine social position. Schools are about many other things than cognitive and intellectual development, as Gintis and Bowles argue in their excellent discussion of class and IQ; their work should prompt renewed discussion of the connection between schooling and social character.

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A key unresolved issue, however, is the extent to which schooling directly mirrors the unequal human relations of the workplace. This is surely true in some measure. Work probably does play an important role in shaping social character and other institutions. I'm not persuaded, however, that reproducing the inequalities of the workplace is the only role schools play. I don't believe that most workers are radically alienated from their work, any more than I think this account of unrelieved repression describes the actual daily experience of most students and teachers in schools.

The system portrayed here is too tight and too heavily-over-determined; the evidence presented is too fragmentary. The macro-constraints Gintis and Bowles are pointing to are real enough. Inequality is the central dilemma of schools and other social services. One glance at the excellent and very clear tables here shows that middle class children start life with enormous advantages. Yet Bowles and Gintis do not emphasize the fact that they are not assured of success. What we have is a society with a fair amount of mobility up and down, rather than an equal society. Gintis and Bowles do not do justice to the variety of life histories that most people live and that actual teachers in educational institutions encounter; this, in part, is why they are not a sound guide to policy. There is little room in this very rational model for the complexities of a social reality that is, however systematically unfair, much more pluralistic than Bowles and Gintis let on. People are victims; they also push to find margins for autonomy. We need to replace the simple cast-iron determinisms of the revisionists and sociologists with a better sense of complexities: the genuine ambivalences attending the history of "Americanization" in the schools, the tension between socialization and self-development, the paradoxes inherent in the fact that students learn to be both producers and consumers. Within schools, channeling and tracking conflict with social cohesion; outside the schools, families, peers, the media and informal educational institutions all compete with the schools. Surely anybody who visits schools these days is aware that they are not performing their various social functions without considerable strain, tension and conflict. The late Jules Henry used to say that human beings are polyphasic, meaning that they have a strong tendency to learn more than one thing at a time—the sort of insight you will not find in this rationalistic scheme. There is no room here for multiple outcomes, unintended consequences, and the redeeming perversities and irrationalities of life. The result is a neo-Marxism that is parched, abstract and unreal—all the sociological vices that make so much recent revisionist writing seem the product of committees of ill-tempered visitors from another planet. (Compare with the rich, humanistic Marxism of Eugene Genovese's *Roll, Jordan, Roll.*)

Bowles and Gintis say that liberal school reformers like John Dewey wanted schools to fulfill three quite divergent goals: social integration, equality and individual development. They did not see the way the first has usurped the other two; and they put too much faith in the power of schools alone to change society. Bowles and Gintis are rightly critical of these blind spots in Dewey, but along with me they prefer his complex, utopian goals to the kind of meritocratic and technocratic educational thinking that now prevails. They do not answer the critical question of what the proper balance between merit and equality should be. They seem to envision an implausible society in which such contrary goals are all served simultaneously. Nor do they give an estimate as to how much room, if any, schools have for maneuvering. What is it reasonable to expect from schools working in the context of an unequal capitalist society? Somewhere between the discredited reformist that imagines that schools can transform society all alone and the newly-flourishing dogma that asserts they can do nothing, we need to find more plausible bases for educational action.

The obvious political lesson is that we need to equalize both incomes and the distribution of power. I agree, but am left wondering about the specifically educational implications of the argument either for schools or places of work. The moderate, upbeat, distinctly liberal (if I may say so) educational reformism of the concluding chapters is a familiar ironic wrinkle. Like other revisionists, Bowles and Gintis argue: a) that schools are tremendously powerful in shaping character, yet; b) essentially powerless in the face of other forces; c) that liberal educational reform cannot work, and d) that perhaps we should try some liberal reform. They are not alone in pinning an over-arching analysis of the ills of society as a whole to the tail of a very small educational donkey.

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Somehow in a capitalist society it remains easier to diagnose the pathologies of public schooling than those of General Motors. Nor is the content of their socialism clear. They say a lot about economic democracy, and little about political democracy. The focus on abstract social forces, rather than the human actors, jibes oddly with their interest in participatory democracy.

This important book will surely become one of the texts in the ongoing effort to reconstruct the American educational past. It must be read, though I suspect others than myself will find it pedantically remote from the lives and consciousness of the ordinary people for whom it claims to speak. It is exasperating to read a Marxist account of American schooling that virtually ignores the workers in the schools, the teachers.

**Joseph Featherstone**

## Fifteen Rabbits: A celebration of life by Felix Salten

(Delacorte; $7.95)

It is not I think generally known that the translator of Felix Salten's animal stories into English was Whittaker Chambers, one more puzzle piece in the strange life of a man who is so paradigmatic of the shadowier aspects of the '30s in America. But then Salten's work and private history is also epitomic: born in 1867, he suffered through a childhood of poverty in merry Vienna, misery compounded by his physical weakness, the kind of spindly stalk on which bloom early flowers. By the time Salten was 18 he had already sold several short stories and was able to quit working for a penurious cousin, but until 1924 he was known chiefly as an influential critic and writer for magazines. In that year *Bambi* was published, child of Salten's middle age, in its sentimental primitivism drawing deeply upon the author's personal identification with the harmless, helpless creatures of this world, a strange mixture to come from an early admirer of Zola, being mystic withal and ominously prophetic. For, like his own harried woodspeople, Salten was forced to flee Vienna ahead of Hitler's huntsmen, taking refuge in the land of *Heidi*, where he spent his years in exile working on the book for Walt Disney's version of *Bambi*. He died, still an expatriate, in 1945.

Given Salten's sad fate, and that of so many of his countrymen—Jews, in particular—during the same period, the dark mood of persecution and violent death that permeates his animal world takes an added dimension from subsequent events, a quality that is especially true of *Fifteen Rabbits*, first published in America in 1930, and now reissued in the wake of *Watership Down*. *Bambi* is a beast *Bildungsroman*, being the education of a "prince" of the forest into the wisdom of "aloneness," so that he may take the place of the "old stag," the solitary king of the woods. But *Fifteen Rabbits*, though inferior in narrative power because more diffuse (and often self-imitating), has much more poignance and a far different political implication from the Darwinian elitism of *Bambi*, with its fascistic overtones. "'We must learn to live and be cautious'" is the advice given Bambi by the old stag, but the code of the rabbits is even starker: "'Lie still!'" Theirs is the "race of the defenseless, the hunted," and those who survive are the ones who soonest master the "art of vanishing and hiding themselves beyond all chance of discovery." Having no means or "impulse to resist any living creature," the rabbit's sole "defense consists of watchfulness." Bambi may grow from a helpless fawn to a mighty stag, but little Hops can only become a bigger rabbit, his survival depending on superior powers of evasion, his life a constant vigilance even in the midst of delight.

What Salten's rabbits have in common with his deer is their innate goodness, for both are creatures innocent of bloodshed or violence—except during mating season and amongst themselves. Surrounded by a Hobbesian carnage, rabbits have a "clear conscience," for they have "never harmed a living creature." When Bambi makes his one appearance in the book, in his turn an old stag, a wisdom figure, it is to warn the "'miserable creatures'" of the wildwood world that "'there is never any truce in the forest, only constant pursuit, constant flight,'" but it is the rabbit generally who is the ultimate victim, the lowliest creature on Salten's totemic pole. "'We have to help them out,'" observes Hops of furry and feathered predators, "'have to give our lives so that crew can survive the winter. And afterwards they murder us all the more skillfully. . . . It isn't right. Things are not well managed in this world. . . . It's easy to become embittered.'" As underdog, Salten's rabbit resembles "some timid, worried, humble little shopkeeper whose naïveté and limited experience have accustomed him to suffer much hardship, to endure much mistreatment—while it has never entered his head to defend himself." By such means little Hops becomes not only a symbol of rabbitdom, but a figure of long-suffering humanity itself: "That miserable, insignificant man, who sits on the door-sill of his house in the cool twilight, to draw a breath of air, yet feels the very act of breathing itself a presumption."

Yet Man is the greatest predator in the forest, the two-legged creature with the deadly third arm. Called "He" or "Him" by his intended victims, the Hunter is a perverse God, a thing of mystery and terror, an omnipresent, omnipotent threat, feared even by the dogs that slavishly, selflessly serve him. "'Do we really have to stand for it?'" wonders Hops in a rare, Spartacus-like moment. "'If we could get together, we rabbits and all the deer, all the oppressed and the hunted! If we were to get together. . . .'" The idea of Rabbit Power, as in the *New Yorker* cartoon of a few years back, is patently ridiculous, yet it lends Salten's fable its clearest political slant. In *Bambi*, the dreamy doe, Marena, ruminates "'They say that sometime He'll come to live with us and be as gentle as we are. He'll play with us then and the whole forest will be happy, and we'll be friends with Him,'" millennial sentiments in keeping with the religiosity of Salten's first animal book, whose concluding lesson is, in Bambi's words, "'There is Another who is over us all, over us and over Him.'" But *Fifteen Rabbits* has an earthier emphasis, and the nearest it comes to the Peaceable Kingdom is when Hops' future mate, Plana, seeks shelter from the winter's cold in the kennel of a sympathetic because mistreated hound. *Bambi* ends on the highest Platonic rung, the hero "vanishing into the forest" of which he is sole and celibate King, but Hops greets the returning spring by giving up all dreams of revolution for the joys of procreation, obeying the primal urge that insures the survival of his timid race.

*If you would keep men from becoming as animals*, writes Salten as epigraph to *Fifteen Rabbits, strive ever to see animals as men*. A version of the Golden Rule, it is

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the rationale, in reverse, of the beast fable as created by Aesop, whose satiric parables employ animals to exemplify (and presumably cure) the vices of men. As such, it is a most effective argument against those librarians who have removed from their shelves as "unrealistic" those children's books that use talking animals as characters. To have, as Salten does, tree leaves talking to one another and rabbits conversing with pheasants is the pathetic fallacy *in extremis*, yet it is a conventional and a dramatic way of illustrating the common bond that unites all animate creation. Richard Adams availed himself of Lockley's *The Private Life of the Rabbit* in order to lend his own complex parable verisimilitude, but even the invention of a rabbit language did not mitigate Adam's anthropomorphism, and his Watership Down is located in the neighborhood of Toad Hall. In effect, Adams created an imaginary kingdom resembling Tolkien's, much as his bunnies resemble the Hobbit, a furry-footed creature that also loves the comfort and safety of a warm hole. But perhaps that is because the Hobbit resembles the rhyming rabbit as much as he evokes that most comfortable of all conforming creatures, a middle-class Englishman.

In America, the rabbit has a strongly subversive role in literature, quite unlike the implications of genus *Sylvilagus* as it appears in the works of Salten or Adams. In Algonquin legends the Great Rabbit is a trickster figure of tremendous power, shamanism that has been transmuted by the slave culture of the South, becoming, out of Br'er Rabbit, that toothy wiseacre and nemesis of Elmer Fudd, Bugs Bunny. Like *Lepus Americanus*, Bugs is as much Jackass as Rabbit, but these national mutations only prove the point: the stag, we are told, is a Christly symbol of mediation, like Bambi standing for the "way" of solitude and purity, but the rabbit, from the one outraced by the tortoise to the one that got caught in Mr. MacGregor's garden, from Uncle Wiggly to Peter Rabbit and on to the antic hero of *Rabbit, Run*, is a projection of our common humanity. Clever, even cunning, he is as often stupid and boastful, being both *eiron* and *alazon*, perpetually innocent yet forever lusting and thieving. Here he comes, just in time for Easter, hopping down the bunny trail, basket filled with painted eggs, symbol of childhood faith, a springtime Santa Paws, leaping ahead of Alice down the rabbit hole into roadside cages all across America, where he awaits some certain doom, butchered or crucified, squeezed to death by loving little hands. Like Salten's miserable, imprisoned victim Epi, who, as a caged linnet sings of forest freedom, "rolled over quietly on his side, stretched out and did not ever stir again," he is Brother Rabbit truly.

**John Seelye**

## Who's Who In Children's Literature by Margery Fisher

(Holt, Rinehart & Winston; $22.95)

## The Uses Of Enchantment by Bruno Bettelheim

(Knopf; $7.95)

An English import by Margery Fisher called *Who's Who in Children's Literature*, subtitled "A Treasury of the Familiar Characters of Childhood," is a large, fat cocktail table book with lots of glossy illustrations in both black-and-white and color. Fisher explains in her introduction that she has no intention of including characters from every children's story ever written—this is a personal selection and, understandably, with emphasis on English authors. She lists in alphabetical order each character, a couple of sentences about his/her/its personality and a synopsis of the plot, and occasionally indicates her approval or disapproval of the personality or book. Some books, such as C. S. Lewis' Narnia series and Thackeray's *The Rose and The Ring*, have a number of entries, all cross referenced. The English bias is at times a little heavy, especially on an author who must be of particular importance to Fisher, Arthur Ransome and his series of stories starting with *Swallows and Amazons*. There are 12 entries for Ransome characters, 11 of them being the unending cast of gungho boys and girls roaming the English countryside red-cheeked and ready for adventure.

Although Fisher makes it very clear that she is playing favorites and does not mean this to be a complete guide to every well-known personality in juvenile literature some of her omissions are surprising. For instance, her list makes no mention of Hans Brinker and the prize silver skates, or Saint Exupéry's Little Prince. And from the American point of view it seems almost unforgivable not to include Tarkington's sketches of boyhood in *Penrod Jasper*; Kay Thompson's Eloise who lives in the Plaza and is only six; the pollyannaish *Five Little Peppers and How They Grew*; Louisa M. Alcott's books other than the Jo March trilogy; Mrs. Piggle-Wiggle and her upside down house; Edward Eager's homages to E.B. Nesbit (who is accorded due respect); any of Madeleine L'Engle's sensitive stories; and that Afro-Anglo, Tarzan.

It is a great book for browsing through, though, to discover old favorites and encounter a new charmer for your children and yourself. The price is high but today when a picture story book goes for $6.95, the amount isn't that outrageous for a well presented and colorful mini-encyclopedia of juvenile literature.

Bettelheim, on the other hand, deals not so much with the characters and narrative line as with the effect the characters and their adventures have on the youngster going through the pangs of growing up. His book is divided into two sections—the first discusses some of the fantasies and fears children experience and places them in relationship with a fairy tale that might help the child work through that phase. The second half explores a dozen fairy tales in connection to the problem each confronts: headings such as "Sleeping Beauty—Mastering Adolescence," "Goldilocks and the Three Bears—Searching for Identity," indicate the specific situation Bettelheim deals with.

In his introduction he says:

> *The delight we experience when we allow ourselves to respond to a fairy tale, the enchantment we feel comes not from the psychological meaning of the tale (although that contributes to it) but from its literary qualities—the tale itself as a work of art. The fairy tale could not have its psychological impact on the child, were it not first and foremost a work of art. . . . As with all great art, the fairy tale's deepest meaning will be different for each person, and different for the same person at various moments of his life. The child will extract different meaning from the same fairy tale, depending on his interest and needs of the moment.*

He goes on to give examples of how

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individual children have been helped through a crisis by one fairy tale or the other—the story of Snow White allowing a five-year-old with a cold, distant mother (the Queen) to turn to her father for love (the seven dwarfs taking care of Snow White). Some of the analogies (such as the Snow White) may seem a bit far-fetched, but each has enough truth to it to make the point that there is a special psychological life in a fairy tale, one often solely available to children.

Bettelheim also explains why fairy tales fell into disrepute in the 20th century, mainly because they presented frightening, evil creatures. (Maurice Sendak's *Where The Wild Things Are* has many a modern mother up in arms because of the "scary monsters" in the picture book).

*Some people claim that fairy tales do not render 'truthful' pictures of life as it is, and are therefore unhealthy. That 'truth' in the life of a child might be different from that of adults does not occur to these people. They do not realize that fairy tales do not try to describe the external world and 'reality.' Nor do they recognize that no sane child ever believes that these tales describe the world realistically.*

The introduction alone is worth the price of the book if it will induce parents who have shied away from fairy tales to introduce them to their children. The studies of the various fairy tales can also give parents an insight as to why their child might be so drawn to one particular story, as well as why we hold on to fairy tales long after childhood.

**Tiki Davies**

*Tiki Davies* is a free-lance writer living in Washington.

## Animal Liberation by Peter Singer

(New York Review of Books; $10)

Reading this book brought to mind two personal experiences. Once, having toured a slaughterhouse and emerged pale and shaken, my mind kept returning for weeks after to Dostoevsky's remark in *The Book of the Dead* (which I had just been forced to read in a high school class): "The degree of civilization in a society can be judged by entering its prisons." And second, while teaching at a state university in New England, I learned that a colleague had received a federal grant to investigate anew the link between tobacco smoking and lung cancer. His methodology was typical of his peers in their laboratories. Everywhere, it seemed, were dogs, strapped to his deadly infernal machines, doomed to inhale forever on pipes pouring forth the smoke of cigarettes. Leaving aside the critical question of whether or not it was really necessary to repeat such experiments *ad infinitum*, I asked him why he felt it necessary to use dogs. Because, he answered, they were only animals. No doubt Peter Singer, the author of *Animal Liberation*, has also heard responses of that sort. For such disregard for animal life, he writes, "allows researchers to regard the animals they experiment on as items of equipment, laboratory tools rather than living, suffering creatures."

Singer, an Australian philosopher who concentrates mainly on ethics and political philosophy, has written an extraordinarily persuasive book, part tract, part systematic analysis, irreverent, questioning, surely unsettling, a bit emotional at times perhaps but throughout a striking account of the perpetual discrimination practiced against animals, a bias he characterizes as "speciesism."

Subtitled "A new ethics for our treatment of animals," it details the incredible suffering humans inflict on nonhumans for "trivial" purposes. When one uses cosmetics, wears furs and leather, supports hunting and visits rodeos, Singer writes, the inevitable result is animal anguish, papered over and deliberately hidden from the view of sensitive consumers, but anguish nonetheless. There is as well a parasitic industry supporting cruelty, "encouraging the use of animals in experimentation," in breeding for profit, in stealing, in the manufacture and sale of their instruments of torture. Singer is also opposed to eating meat, not only because *billions* of animals are murdered for this purpose every year but because of the massive amount of grain consumption required to feed and nurture food animals rather than hungry people. This heavy emphasis in rich nations on "rearing animals for food wastes several times as much food as it produces."

When a doctor I know was presented with the arguments raised in this book, he protested. He would continue to support animal experimentation, he said, if only that one day it might lead to a cure of a major killer disease. Singer himself refuses to say never experiment but only if there were "no other way those lives could be saved," a rather rare situation indeed. "Not one-tenth of one percent" of the experiments presently performed on animals—poisoning, electric shocks, starvation, maternal deprivation, deliberately induced terror, heatstroke, malnutrition in kittens, pain in testes, all paid for by federal tax monies—are in this category. And while alternatives to using animals are increasingly available most scientists are reluctant to interest themselves in the subject "simply because they do not care enough about the animals they are using."

It was another Singer, Isaac Bashevis, who wrote: "For animals it's an eternal Treblinka." Like the Yiddish writer, Peter Singer is a vegetarian, for ethical reasons. But its underpinnings are a part of the "new" consciousness he is trying to raise. Animals, he says over and again, have interests and they are a part of a moral person's concerns. Since they cannot speak for themselves it is up to others to do so. Ultimately, it's obvious that he hopes that those who are capable of acting beyond self-interest will come to see this cause—together with the human causes they espouse—as worthy of personal and political action. To ignore the animals, he rightly concludes, to consider them as having been placed on earth solely to serve human needs, leaves no basis from which anyone may "without hypocrisy, criticize racism or sexism."

**Murray Polner**

*Murray Polner* is the editor of *Present Tense*.

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## Losing Ground: Environmental Stress and World Food Prospects by Erik P. Eckholm

(W.W. Norton; $3.95 paper)

Throw a stone into a pond and you get widening circles of ripples. The bigger the stone or the smaller the pond, the more violent the waves. To someone knowing little about the discipline, this seems to be what ecology is all about; it is the study not of the single thrust but the ramifications, not the stone but its impact on the water.

This may explain why, when it comes to debate on the earth's environmental crisis, there are more cries of warning than statements of fact, more controversies than comfortable agreements. Environmentalists seem to grow as heated about, say, the impact of trying to cultivate tropical rainforests, as medieval monks did over the number of angels on a pinhead.

Erik P. Eckhoms's *Losing Ground*, jointly sponsored by the United Nations Environment Program and the Washington-based Worldwatch Institute, is essentially another cry of alarm. But with its moderate length (187 pages), exhaustive research and documentation, it is a particularly useful guide to anyone trying to follow what overpopulation is doing to our earth with any sustained attention.

Apparently when you get people multiplying at geometrical rates, you can cut down all the trees, pour all the water and feed your livestock all the grass you want at the two, four or eight stage of advance. But let the situation ride. Then, when 32 turns to 68 or 68 to 136, as is happening today, there comes a time when you step over the threshold of irreversible damage.

For instance, in his chapter on irrigation, Eckholm informs us the amount of irrigated land, growing by three percent the past 20 years or well ahead of expanding population, has risen from a global total of 20 million acres in 1800 to 100 million acres in 1900 to 263 million in 1950 to 475 million today. But dams and canal systems, which boost food production quickly, make more political sense than expensive drainage systems. Most politicians and engineers aren't going to be around in 10, 20 or 30 years when over-watered land starts getting saline and soggy.

Tiny salt particles present in all water do not evaporate as water does. Without proper drainage, underground water tables rise and turn salty. Eventually the salt rises to the surface, creates a snow-like crust, and nothing grows. The ancient Mesopotamians invented irrigation but failed to discover the need for drainage. In result, between 4000 and 2000 B.C. (just before Abraham set out from Ur to Canaan), they ruined the soil between the Tigris and Euphrates so completely it has been an alkaline desert ever since.

In contrast, Egypt was saved from this curse until 1965 by the Nile's annual flood which flushed the salt away. Since the High Dam at Aswan began storing water that year, underwater tables have risen and salinity, alkalinity and water logging now threaten large areas of the Nile Delta and Valley.

Salinity has now damaged five million of 25 million acres on Pakistan's Indus Plain, the world's largest irrigated region; 15 million of India's 150 million irrigated acres; at least a fifth of China's irrigated wheat land; between 25 and 50 percent of Syria's once fertile Euphrates Valley; 15 percent of Jordan's new irrigation project in the Jordan River Valley; 500,000 acres along Peru's coast; 30 percent of Argentina's Patagonian region; 50 percent of the irrigated land in densely over-populated Northeast Brazil; large areas of Northwestern Mexico's Mexicali and Yaqui Valleys; and, closer to home, crop yields in California's Imperial and Coachella Valleys.

Nor is salinity the only way large areas of productive cropland are being ruined. Eckholm describes how the 1930s Dust Bowl in the United States could be repeated in the rush to provide the world with wheat at current high prices. He provides a clear, concise explanation of why Khrushchev's Virgin Lands scheme proved a disaster from lack of fallowing and shallow ploughing, tells how the Sahara is not only expanding southward but is gobbling up 250,000 acres of land in Morocco, Algeria, Tunisia and Libya each year as well (the Algerian army is now trying to plant a barrier of trees 1600 kilometers long), and he shows why any scheme to farm the tropical rainforests along the Amazon and Congo would probably produce only ravaged scrubland. There is a chapter on the deforestation of the Himalayan slopes of Nepal, how the disappearance of firewood is the second energy crisis after oil and why not too much can be expected from gleaning food from the seas.

Eckholm does not predict a sudden, cataclysmic global famine. He is out to define, document and describe, not dramatize. But he does warn that a quarter of humanity may "sink slowly into the slough of hopeless poverty," an increasing number fleeing into the "dead-end slums" of Third World cities.

We have heard all this before. But the possibility of another 1789 in the poorest countries, with real, raw, red rioting and revolution remains a real one. This is the stuff of headlines and the evening TV news and would seem to have little to do with environmental decay. But as E. M. Forster said, "Only connect." Chances are the citizens of Ur, as power shifted north to Babylon and the barbarian tribes beyond and their cities faded into desert ruins, did not think all that much about salinity, deforestation and overgrazing either.

**Richard Critchfield**

*Richard Critchfield*, author of *The Golden Bowl Be Broken* (Indiana University Press) is a free-lance writer.

# Correspondence

## Warnke's Road

*To the editors:*

I was Paul Warnke's Deputy for East Asian Affairs while he was Assistant Secretary of Defense. From personal experience and from the public record I believe you were unfair and inaccurate in your comments on him in the May 8, 1976 editorial, "Henry's Successor."

Paul Warnke can in no way be associated with the American entanglement in Vietnam, not having become Assistant Secretary of Defense until the summer of 1967. In that job he tried to convince others of the wrongness of American policy in Southeast Asia and worked for ways in which United States involvement could end. There is nothing in the *Pentagon Papers* which, as you said, would "raise serious questions" about this record. Indeed, they make clear that in the post-Tet period Paul Warnke was arguing for a policy which would de-Americanize the war and that he supported only minimal force additions

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in the face of the military's request for 205,000 additional troops. Moreover, the *Pentagon Papers* volume on negotiations, which has not been released to the public, shows that Paul Warnke was trying to gain support for a negotiating position which would lead to early American withdrawal independent of a political settlement between the warring Vietnamese parties.

Your closing comment, "Would Warnke have told the truth about Angola, Chile, Cyprus?" can most generously be described as a cheap shot. There is nothing in Paul Warnke's record to merit such calumny. You should be ashamed for including such rot in a magazine which purports to represent rational thought and responsible journalism.

*Richard C. Steadman*
*New York, New York*

*In reply:*
Our editorial, "Henry's Successor" (*TNR*, May 8) stated that the *Pentagon Papers* raised "serious questions" about Paul Warnke's reputation as a dove. We refer readers to pp. 589-612 of the Bantam edition of the *Pentagon Papers* for a summary of the Tet period and Warnke's role

For example, Warnke was a principal author of a crucial March 4, 1968 memorandum to President Johnson summarizing the post-Tet policy discussions inside the government. That memo recommended:

—22,000 additional troops, 60 percent of them combat
—reserving decision to deploy 185,-000 more men
—a reserve call-up of 262,000, increased draft calls, and extension of terms of service
—no new peace initiative
—new bombing in which a) the Joint Chiefs urged increased attacks on Hanoi, mining and bombing Haiphong, and strikes right up to the Chinese border, while b) "others" including Warnke) recommended "a seasonal step-up through the spring, but without these added elements."

*The Pentagon Papers* analyst noted specifically that both sides of the bombing argument in the memo were "devoted to various kinds of escalation." jof the post-Tet working group in which Warnke played such a key role, the *Pentagon Papers* concluded:

*Faced with a fork in the road of our Vietnam policy, the working group failed to seize the opportunity to change directions. Indeed, they seemed to recommend that we continue rather haltingly down the same road . . .*

Readers will remember that this was at a time when Eugene McCarthy had run in New Hampshire, and millions of Americans understood the debacle of the war policy. If such a record seemed, as Richard C. Steadman puts it, "working for ways in which United States involvement could end," it was only in the curious twilight world of the collapsing Johnson administration. It is rather less impressive in perspective today.

As for Warnke's hidden opposition to the war in still secret documents on Vietnam diplomacy, Steadman only reinforces a main point of our editorial: we do *not* have a full and fair account of much of what these men did and did not do in Vietnam and other policies. The public deserves that record if those men aspire to hold high office again.

Perhaps Warnke and his peers will tell us at last the whole truth. They have not thus far. That is why there remain legitimate doubts that they would in the future level with the American people about policy disasters and their personal resptnsibility for them. Until we select our highest foreign policy officialdom in the open and on their records, clear of the gentlemanly self-protection of the establishment that now shields so many aspirants from their pasts, we run the risk of being taken, like that Pentagon working group, "down the same road."

*The Editors*

## The Wincer & the Wince

*To the editors:*
Frank Manuel's review of my *Cultural Contradictions of Capitalism* (March 20, 1976) is so *ad hominem* from start to finish, that one does not know where to answer.

He writes that the "display of learning in passages about Ibn Khaldun, Vico, Marx, Kant, Comte, sometimes makes an historian of ideas wince." No evidence, just the self-anointed *ex cathedra* statement.

Comte is mentioned three times in the book; all three instances occur within quotations from other writers—two from Henry Adams, one from Nietzsche. The citation of Ibn Khaldun (on the meaning of the idea of *asabiyah* as a sense of solidarity) is taken directly from *The Muqaddimah;* does Mr. Manuel know any other source? My discussion of Vico (whom Mr. Manuel, in his *Shapes of Philosophical History* calls "Janus-like") follows the "romantic philosopher of history," though Mr. Manuel wants to read him as a "late Renaissance humanist." Each to his own side. And if Mr. Manuel's numerology of "fours" for Daniel, Hegel and Marx is *his* way of reading Marx's view of history, and his attempt to claim Marx's work as being closer to the French than to the Germans is *his* claim to know Marx, then all I can say is that he does not know the difference between wince and *chutzpah*.

"Bell's theory, expounded with the open-eyed discoverer of Max Weber [ignores] the detailed, factual studies on the history of early capitalism that have been gathered since Weber. . . ." How condescending—another definition of *chutzpah*. I have been teaching Weber and the "factual studies" for 30 years, but the simple and more relevant fact is that I was *not* writing a history of capitalism but dealing with the cultural *images* that have been used to legitimate capitalism, and the fate of those images.

"Do you, my children, want to know why the Protestant ethic was undermined?" Mr. Manuel writes with attempted sarcasm. And he quotes a sentence on the role of the installment plan and instant credit. How cheap. There is, after all, a 26-page discussion (pp. 54-80) tracing the erosion of the Protestant ethic to the interplays of ideas and social structure: the leaching away of Calvinism, the attacks by the "young Intellectuals," the decline of the small town, and the rise of the marketing techniques of capitalism.

Clearly, the differences are not those of facts and interpretation, but standpoints and animus. On the evidence of his review, Mr. Manuel seems irritated because 1) I am at Harvard; 2) I am a moralist in the tradition of Irving Babbitt and Pitirim Sorokin, also from Harvard; 3) I believe that out of the shambles of modern culture, some religious answer will be forthcoming; and 4) I am a specialist "in the future," a subject that Mr. Manuel disapproves of.

The first is true, but relevant only, perhaps, as a source of Mr. Manuel's *ressentiment* (it means more in French, than English). The second is not true. Most of my other enemies have called me a "technocratic elitist." That is not true either. I am, as the last essay in the book sought to make clear, a liberal in

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the Kantian sense. (And I am willing to critique Kant with Mr. Manuel at four paces.) The third is true, and that is the subject of my next book. The fourth is not true, since I do not believe there is such a thing as "the future," something Mr. Manuel could have known if he had bothered to look at the opening page of my book, *The Coming of Post-Industrial Society* before the sneer came to his face.

What is to be done? asks Mr. Manuel coyly, invoking the names of Chernyshevsky "and Comrade Lenin." (Yes, Mr. Manuel, we know you know that Chernyshevsky, not Lenin, first used the phrase *Chto delat.*) Mr. Manuel, the *philosophe*, is *l'homme de la nature et de la verite.* And in the name of reason he will "through his innate stupidity look upon his revenge as justice pure and simple" (Dostoevsky's remark about the luckless Nikola; Gavrilovich Chernyshevsky), as he carries on his quixotic war against moralism and sociology (and what an odd amalgam for him to make). Yet as he turns in his widening gyrations, I can only think:

*O psycho-historian, plumber of souls*
*Who claims to tell facts from hyper-boles*
*When spleen has overtaken mind long since*
*How can one tell the wincer from the wince?*

*Daniel Bell*
*Cambridge, Massachusetts*


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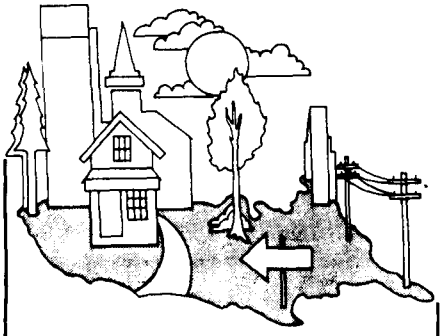

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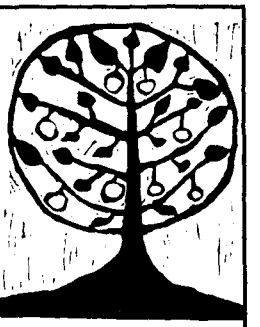

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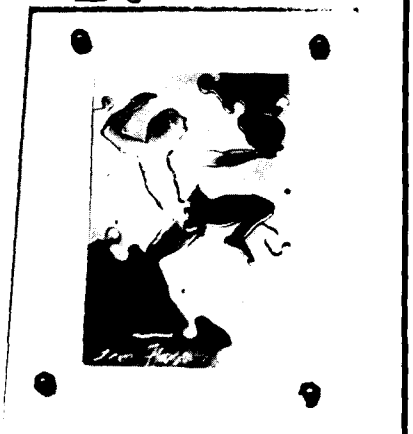

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